

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

THE HONORABLE STEPHEN V. WILSON, DISTRICT JUDGE PRESIDING

USA, )  
)  
Plaintiff, )  
)  
vs. ) No. CR 15-611-SVW  
)  
SEAN DAVID MORTON AND MELISSA )  
MORTON, )  
)  
Defendants. )  
\_\_\_\_\_)

REPORTER'S TRANSCRIPT OF JURY TRIAL PROCEEDINGS

LOS ANGELES, CALIFORNIA

THURSDAY, APRIL 6, 2017

**VOLUME III OF IV**

**PAGES 520 - 698**

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DEFENDANT SEAN DAVID MORTON, PRO PER

- - - - -

I N D E XDEFENDANT'S WITNESSES:      DIRECT      CROSS      REDIRECT      RECROSS

MORTON, SEAN

527 (B)

601

655 (M)

659 (B)

DePUYDT-MEIER, CAROL

661 (B)

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671

675

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E X H I B I T SGOVERNMENT ' SRECEIVED

36	628
38	629
152	637
169	642
161	647
160	674

DEFENDANTS 'RECEIVED

A	535
C	547
D	555
G	564
H and I	568
E	571
F	573
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1 **LOS ANGELES, CALIFORNIA; THURSDAY, APRIL 6, 2017; 9:30 A.M.**

2 -- -- --

3  
4 (Proceedings held outside the presence of the jury:)

5 THE COURT: We're present with the parties, the  
6 defendants, and counsel.

7 Mr. Brody, let me inquire of you first: How do you  
8 intend to proceed?

9 MR. BRODY: I'm going to open my case by calling  
10 Mr. Morton as a witness, Your Honor.

11 THE COURT: I see. And so then Mr. Morton indicated  
12 yesterday that he wanted that same witness. So it will be  
13 available to him also, correct?

14 MR. BRODY: Yes. I'm sorry. If it wasn't clear, my  
15 first witness is going to be Mr. Morton.

16 THE COURT: Oh, Mr. Morton is going to testify.

17 MR. BRODY: Yes.

18 THE COURT: Okay.

19 MR. BRODY: My second witness, depending on  
20 Mr. Morton's testimony, will be Ms. Meier, who is present and  
21 ready to be called.

22 THE COURT: I see. All right. Then that makes  
23 things clearer.

24 I'll step out for a moment, we'll get the jury back,  
25 and we'll proceed from there.

1 Any estimate, without limitation, as to how long the  
2 defense case will take?

3 MR. BRODY: I really don't think more than an hour;  
4 that would be my guess.

5 THE COURT: Is that your sense, Mr. Morton?

6 MR. BRODY: Well, my defense case --

7 THE COURT: Mr. Morton, in terms of your defense  
8 case, obviously you're going to testify, and you're going to  
9 have the right to examine this witness, Ms. Meier.

10 Do you contemplate calling any other witnesses?

11 DEFENDANT SEAN DAVID MORTON: No, sir.

12 THE COURT: Okay. All right. Then let's take a  
13 short --

14 MR. BRODY: I'm sorry. Could I inquire -- I don't  
15 know if the court wants to know if Mr. Morton will in fact be  
16 testifying as his own witness as opposed to as my witness. I  
17 don't know the answer --

18 THE COURT: Let me make it clear, again. I did  
19 yesterday. You said you're calling him.

20 You agreed to testify and waive your privilege  
21 against self-incrimination?

22 DEFENDANT SEAN DAVID MORTON: Yes, sir.

23 THE COURT: Okay. Let's take a short recess.

24 (Open Court - Jury Present)

25 THE COURT: Thank you for being on time. We had

1 matters to take up. That was the reason for the slight delay.

2 We're ready to proceed in the defendants' case.

3 Mr. Brody.

4 MR. BRODY: Thank you, Your Honor.

5 The defense for Melissa Morton calls Mr. Sean Morton  
6 as a witness.

7 (Witness sworn.)

8 THE CLERK: Please state your full name and spell it  
9 for the record.

10 THE WITNESS: Sean, S-e-a-n; David, D-a-v-i-d;  
11 Morton, M-o-r-t-o-n.

12 Sui Jurist, all rights reserved. I am making this  
13 special, not general, appearance for the purpose of setoff,  
14 settlement and discharge of this matter today.

15 Your Honor, for the record, I reserve all rights  
16 under UCC 1-308, and I object and take exception to this  
17 entire void nisi prius proceedings. In good faith, I move this  
18 court to dismiss and discharge --

19 THE REPORTER: You need to go slowly; I need to make  
20 a record for you.

21 THE WITNESS: In good faith --

22 THE COURT: Mr. Morton, would you be seated and  
23 answer questions.

24 THE WITNESS: This is my testimony, Your Honor.

25 THE COURT: No. Be seated and answer questions.

1 THE WITNESS: Are you --

2 THE COURT: Just follow my instructions.

3 THE WITNESS: Objection as violation of rights, sir.

4 THE COURT: Mr. Morton, I am ordering you to be  
5 seated and to listen to the questions asked of you and to  
6 answer the questions as best you can; and when I rule, you're  
7 to comply with my ruling.

8 Now proceed.

9 MR. BRODY: Thank you, Your Honor.

10 **SEAN DAVID MORTON; DEFENSE WITNESS, SWORN, TESTIFIED:**

11 **DIRECT EXAMINATION**

12 BY MR. BRODY:

13 Q. Mr. Morton, before I ask you questions, I would want  
14 to draw your attention to a white binder that's to the left of  
15 you there. I may be asking you to have a look at that, to make  
16 sure that it's in front of you.

17 Let me begin by asking you, Mr. Morton: How  
18 long have you known Melissa Morton?

19 A. Since 1998.

20 Q. And where did you meet Ms. Morton?

21 A. In Las Vegas at a spiritual new-age convention that  
22 was being thrown by Robert Ghostwolf, a spiritual medicine man,  
23 elder.

24 Q. And what sort of conference was it? What was offered  
25 at the conference?



1           A.    Lots of fun things: You know, spirituality; future  
2 things; extraterrestrial things. Richard Hoadland was there  
3 talking about faces and pyramids on mars. It was a lot of --  
4 you know, a lot of interesting things that become, kind of,  
5 mainstream now. But, yeah, it was -- just spiritual  
6 native-American elders and extra-terrestrial life and  
7 possibilities in the universe, all about hope for mankind.

8           Q.    Were you yourself lecturing?

9           A.    Yes, I was.

10          Q.    And what were you lecturing on?

11          A.    I don't know -- well, I think at the time I published  
12 a magazine, which was called *The Delphi Associates Newsletter*,  
13 and in this magazine we dealt with -- it was a 20-page  
14 magazine, went out every month, and we would deal with prophesy  
15 predictions, politics, various metaphysical new-age things,  
16 astrology, astronomy; and I was also the number one guest on  
17 the Art Bell radio program, which we had about 26 million  
18 listeners at that time, and that started about 1991. So  
19 that's -- I think Melissa had actually heard me on the radio,  
20 and so she came to the conference for us to meet at the  
21 conference, and we just -- it was love at first sight.

22          Q.    And the radio show you were talking about, is that  
23 your own radio show?

24          A.    No. It was *Coast to Coast A.M.* with Art Bell, but I  
25 do have my own radio show now.

1 Q. When did that start?

2 A. The Strange Universe Radio on Revolution Radio  
3 started about five years ago, I guess. Again, it has to do  
4 with my background as a reporter, as an investigator, to look  
5 into kind of new, interesting things.

6 Q. And when you say "as an investigator," what exactly  
7 do you --

8 A. Well, I worked in the '90s as an investigative  
9 reporter. I worked on -- I worked on *Hard Copy*. The first one  
10 I think I worked on was -- I did a documentary called *UFO*  
11 *Contactees* back in 1990. That's how I became involved with  
12 places like Area 51. I exposed Area 51, put it on the front  
13 page of *the L.A. Times* for the first time.

14 So there was *Sightings*; there was *Strange*  
15 *Universe*, the TV show on UPN that I was one of the creators on.  
16 I was one of the original people at the *SciFi* Channel doing  
17 programs, *Mysteries from Beyond* --

18 THE REPORTER: Would you slow down, please.

19 BY MR. BRODY:

20 Q. So Ms. Morton approached you at the Expo; is that  
21 what you said?

22 A. Yes.

23 Q. And did she give any indication that she knew you  
24 before the Expo or knew of you, pardon me?

25 A. Yes. She was a listener to the Coast to Coast A.M.

1 Art Bell radio program, and I was a featured guest.

2 Q. And at some point, your relationship with her became  
3 romantic?

4 A. Yes.

5 Q. When was that?

6 A. Well, we met at the Expo, and we dated for a while,  
7 and so it kind of started at the Las Vegas Expo.

8 Q. And are you living together now?

9 A. Yes.

10 Q. And how long have you been living together?

11 A. I think she moved down to -- she lived in Utah, and I  
12 think she moved down to Southern California about '99, I think,  
13 summer of '99.

14 Q. And have you been living together continuously ever  
15 since then?

16 A. Yes.

17 Q. Okay.

18 Let's turn for a moment to something a little  
19 bit more immediate.

20 Now, during the course of the government's case,  
21 we saw some 1040 filings by -- apparently by you and by  
22 Mrs. Morton.

23 Do you remember that?

24 A. Yes.

25 Q. And those were based in part on so-called 1099 OID

1 forms, right?

2 A. Original issue discount, yes.

3 Q. And with respect to those -- the documents, the  
4 documents that were presented by the government, the tax  
5 returns, did anyone assist you and Melissa in preparing those  
6 documents?

7 A. Yes. It -- they were completely done by Brandon  
8 Adams, his brother Garrett, who assisted, and Alexander Adams,  
9 Brandon's father, who was a CPA.

10 Q. And where did you meet Brandon Adams?

11 A. I was giving a lecture -- this is in -- I was giving  
12 a lecture at The Living Temple, which is a place run by a  
13 friend of mine in Huntington Beach, and Brandon was actually --  
14 he was in the audience, and it was a -- it was inside a place  
15 called, I think, in Alpine Village, or something. And he came  
16 up, and we started to -- he was a fascinating guy. He was  
17 really an entrancing personality. He had a huge expertise on  
18 economics, and, of course, his dad being a CPA, he knew about  
19 taxes and all that, and so we became friends.

20 And at that point, I introduced him to my friend  
21 Robin, who ran The Living Temple, and Robin was intrigued, as  
22 well. I think we all went out for coffee, dinner or whatever,  
23 and they sent up some lectures for Brandon at The Living  
24 Temple.

25 Q. And to your knowledge, did Melissa Morton meet

1 Brandon at the same time?

2 A. Yes, the same time, yes. We all became friends.

3 Q. The Living Temple, then, hosted lectures at all --  
4 your lectures ever?

5 A. Yes. Yeah, I was -- it was my lecture that Brandon  
6 came to originally, and then Brandon started lecturing there as  
7 well. It was a place that had, like, chats that were attended  
8 by a hundred, 150 people every Thursday, I think it was.

9 Q. And were you lecturing on the same things at The  
10 Living Temple as you had been earlier? Pardon me. When I say  
11 "earlier" --

12 A. Yeah, yes.

13 Q. Okay. Specifically, can you say --

14 A. Well, it was whatever was kind of the news. We took  
15 a -- you know, I took a conspiracy bent on what's really  
16 happening. I guess you could call us, you know, the  
17 alternative news. You know, as an investigative reporter, I  
18 tried to get to the bottom of various things. Obviously made  
19 me rather hated by the government when I was working for *Hard*  
20 *Copy*.

21 Q. And did Brandon Adams ever lecture at The Living  
22 Temple?

23 A. Yes.

24 Q. What did he lecture on?

25 A. He -- his whole thing was really economics. His

1 whole thing was the banks and once again the great -- what he  
2 considered the great criminal conspiracy between the Internal  
3 Revenue Service and the banking cartels that were, in his  
4 opinion, destroying America.

5 Q. And how many times did he lecture at The Living  
6 Temple to your knowledge?

7 A. Well, it got huge. I mean he lectured a few times at  
8 The Living Temple, and so many people were coming to hear him  
9 and hear the lectures about remedies of people who are being,  
10 you know, pursued, and just grounded into the dirt by, you  
11 know, the IRS and the banks. Then it moved to another venue.  
12 It was within the same big complex there but there was like a  
13 big church there that held 300 people maybe, and it was selling  
14 out. I mean, people were just so -- it became a movement  
15 really. People were enamored of the information.

16 Q. And did you personally attend those lectures?

17 A. Yes.

18 Q. Did Melissa Morton attend those lectures?

19 A. Yes. Yeah, I believe she went to all of them.

20 Q. Now, briefly, you mentioned Garrett Adams. We heard  
21 about him from the government's witness Mark Everson.

22 A. Yes.

23 Q. Who was Garrett Adams?

24 A. Brandon's brother.

25 Q. Okay.

1 Did he work closely with Brandon Adams?

2 A. Yes. I -- yes.

3 Q. Okay.

4 I'm going to, if I can, draw your attention to  
5 what's been marked as Defense Exhibit A for identification. If  
6 you can have a look in that binder.

7 A. Okay.

8 Q. Have you had a chance to review that exhibit?

9 A. I have.

10 Q. What is that?

11 A. Well, there's -- okay. Exhibit A is what you're  
12 talking about?

13 Q. Yes. Is that a video exhibit?

14 A. Yes.

15 Q. And what was that video, to your knowledge?

16 A. Creditors in Commerce. The Living Temple was --

17 THE REPORTER: I'm sorry. I can't hear you .

18 THE WITNESS: Creditors in Commerce, Living Temple  
19 was -- he did a number of lectures there, but it was probably  
20 one of his lectures at The Living Temple -- I don't know. Are  
21 you going to show the clip?

22 Q. Well, have you had a chance to look at it first?

23 A. Yes.

24 Q. And were you actually present at that lecture?

25 A. Yes.

1 Q. Okay.

2 Your Honor, can I move Defense Exhibit A into  
3 evidence?

4 MS. MAKAREWICZ: Objection, Your Honor. There's been  
5 no foundation as to when, a date of this exhibit of when the  
6 lecture took place.

7 THE COURT: Can you lay a better foundation.

8 MR. BRODY: Certainly, Your Honor.

9 Q. When did this lecture take place, if you recall,  
10 Mr. Morton?

11 A. I think it was -- I believe it was September of 2008.

12 Q. Okay.

13 Was Melissa Morton also present at that lecture?

14 A. Yes.

15 Q. And is the video a true and accurate representation  
16 of the lecture as you remember it when you were there?

17 A. Yes.

18 MR. BRODY: Permission to move into evidence, Your  
19 Honor.

20 THE COURT: Received.

21 (Defense Exhibit A received in evidence.)

22 MR. BRODY: Permission to publish.

23 THE COURT: Granted.

24 MR. BRODY: Thank you.

25 Starting the video from time stamp zero.



1 (Video played.)

2 MR. BRODY: Halting the exhibit at two minutes and  
3 one second.

4 Q. Let me ask you, Mr. Morton: We heard him say  
5 something about creditor and debtors.

6 Can you tell us what that was that you  
7 understood Mr. Adams to talk about.

8 A. Well, as I understood it, a creditor is somebody who  
9 acts in honor; a creditor is somebody who takes responsibility;  
10 a creditor is somebody who, you know, takes responsibility for  
11 the world, you know, helps others, is a king or -- and a  
12 debtor -- a debtor is somebody that is -- a creditor is also  
13 somebody that creates commercial energy in the world. I mean,  
14 the whole point of -- again, in my opinion, the only real money  
15 is human beings --

16 Q. I'm going to ask you to pause right there. I don't  
17 want -- I'm not interested in your opinion, per se. I want to  
18 know what it is that Brandon Adams taught.

19 A. Okay. Adams taught -- Brandon taught -- Brando  
20 taught -- I'm sorry -- Brandon taught that a creditor is  
21 somebody that takes responsibility, that generates commercial  
22 energy in the world, and that a debtor was -- a debtor was  
23 somebody that doesn't take responsibility and just kind of  
24 takes, I guess. That's the best way I can interpret  
25 his philosophy.

1 Q. All right.

2 I'm going to move forward here to time stamp one  
3 hour and four minutes -- pardon me -- one hour, three minutes  
4 and 58 seconds.

5 (Video played.)

6 MR. BRODY: I'm just going to pause there at time  
7 stamp one hour, six minutes and 28 seconds.

8 Q. And ask you, Mr. Morton: Do you recognize the voice  
9 of the person asking the question?

10 A. Yes, that would be me in the back.

11 MR. BRODY: All right. Continuing to play.

12 (Video played.)

13 MR. BRODY: Stopping at time stamp one hour, seven  
14 minutes and 56 seconds.

15 Q. Mr. Morton, during the course of that video,  
16 Mr. Adams was asked some questions about a birth certificate --

17 A. -- yes.

18 Q. With respect to Mr. Adams' teachings, what did he  
19 teach was the importance of the birth certificate?

20 A His teachings and what he taught was that when you  
21 get the birth certificate, the birth certificate is a share of  
22 stock in the corporation, if you will. It's interesting  
23 because it has what we call -- and you've heard the word  
24 "CUSIP" number, and it has a CUSIP number in the upper  
25 right-hand -- that's why it's called a certificate -- it has a

1 CUSIP number in the upper right-hand corner. And it's this  
2 piece of paper that when you're born when you're birthed as a  
3 vessel into the world, that this is the piece of paper that  
4 then goes to the secretary of the state or the state that then  
5 makes you a taxpayer, then makes you a voter, then makes you a  
6 juror -- you'll notice when you vote, usually they send you a  
7 jury notice -- and that this creates you as the corporate  
8 fiction, and that that birth certificate then goes to the  
9 United States of America, primarily to the commerce department.  
10 And, once again, those certificates then become paper bonds, if  
11 you will, that -- what he was talking -- what Brandon was  
12 talking about -- are then stamped by foreign governments and  
13 loaned out to commerce departments and -- you know, to then  
14 float the debt of the United States, which is -- his philosophy  
15 was is that, once again, we went off the Gold Standard in 1933,  
16 where we used to have gold and silver backing the money; and  
17 after the Gold Standard of 1933, the people became the credit  
18 of the nation, and we used to have another word that -- he  
19 said; we had another word for that, which was -- which we  
20 called slavery, and this is what the banks borrow against, and  
21 it was -- I'm not sure, did I answer your question?

22 Q. Yes.

23 A. And that's the birth certificate.

24 And then the -- then the people were then handed  
25 as chattel -- this is Brandon's belief again -- was handed --

1 were handed as chattel to the Federal Reserve Bank again,  
2 because it was the Federal Reserve Bank that bankrupted the  
3 government of the United States; and the government of the  
4 United States then said, Well, here we're going to give you all  
5 these cows as collateral for you to use and borrow against.  
6 This also led to his philosophy about how if the banks are  
7 borrowing against us -- the rest of the story -- if I can  
8 complete the story --

9 THE REPORTER: I'm sorry?

10 THE WITNESS: If I can complete the story.

11 In the Congress at the time, there was a man by the  
12 name of Congressman Louis McFadden of Ohio, and he filed suit  
13 against everybody in the Congress and the Senate saying you  
14 can't just hand the people over to the Private Federal Reserve  
15 Banks, they have to be compensated for this.

16 MR. BRODY: All right. Thank you, Mr. Morton. We'll  
17 move on to another question.

18 Q. Turning your attention to Defense Exhibit B.

19 Have you had an opportunity to review that  
20 video -- pardon me -- Defense Exhibits B1 through B5. Have you  
21 had a chance to review those?

22 A. Yes. B1 yes; B2, yes; B3 yes; B4, yes; B5, yes.  
23 These were all Creditors-in-Commerce sessions in videos.

24 Q. And did those take place in or around 2008?

25 A. Yes.

1 Q. And were you present at that lecture?

2 A. Yes.

3 Q. And was Melissa Morton present at that lecture?

4 A. Yes, she was.

5 Q. And did Brandon Adams discuss tax filings and other  
6 financial matters at that lecture?

7 A. Yes, he did.

8 MR. BRODY: I'd ask it be received into evidence at  
9 this time, Your Honor.

10 MS. MAKAREWICZ: Objection, Your Honor. Sidebar,  
11 please.

12 THE COURT: All right.

13 You have a right to be at the sidebar.

14 THE WITNESS: Yep.

15 (Proceedings held at sidebar:)

16 MS. MAKAREWICZ: Thank you, Your Honor. The  
17 prosecution does not have an objection to the introduction of  
18 the clip; however, we would respectfully request that all of  
19 Mr. Morton's statements be played with respect to this lecture.  
20 Mr. Brody has only included selective comments of the defendant  
21 in this exhibit, and we would like to have all of his comments  
22 played. There's a comment at the tail end of the lecture that  
23 is about 30 seconds that goes to the defendant's state of mind.

24 MR. BRODY: Your Honor, the government can  
25 cross-examine --

1 THE COURT: I think that's correct. You can use that  
2 for --

3 MS. MAKAREWICZ: Very good. Thank you, Your Honor.

4 (Proceedings resumed in open court)

5 MR. BRODY: Permission to publish Defense Exhibit B1,  
6 Your Honor.

7 THE COURT: Permission granted.

8 (Video played.)

9 MR. BRODY: I'm going to pause there at time stamp  
10 one minute, 15 seconds; I started from time stamp 00.

11 Q. Mr. Morton, we heard Mr. Adams there talking about  
12 exchanging one debt for another, swapping debts or something to  
13 that effect.

14 Can you explain what he taught you and  
15 Ms. Morton regarding that subject.

16 A. That there was a public side and a private side.  
17 That it was -- in regards to that, once again, this is Brandon  
18 who was the expert on all of this, not myself.

19 Q. I understand. I'm just asking for what it is that  
20 you understood him to be teaching or what he did teach.

21 A. That there's a public and a private side to  
22 everything, and that the idea was -- is that -- is that if you  
23 dipped into the -- that there was a way to setoff, settle and  
24 discharge debt, and in a bankrupt system, nothing can be made;  
25 so you were just swapping debts for debts. So I didn't see

1 enough of the clip to get the whole gist of it, but between the  
2 public and the private side, this is another reason why the --  
3 well, the Federal Reserve is a private organization; it's a  
4 private club of banks. And again, as I understood it, you have  
5 corporations that were on the -- I believe the private side  
6 that were dead and then you have the -- the people that are the  
7 life energy that are created. I guess that's the best way to  
8 explain it.

9 Q. Let me also ask you: With respect to Mr. Adams'  
10 mentioning of the back of a Social Security card, the number on  
11 the back of the social security card, what did he teach you and  
12 Ms. Morton was the significance of that.

13 THE WITNESS: Well, each Social Security card creates  
14 an account for everybody with the United States. It's an  
15 individual -- once again as Brandon Adams explained it, on the  
16 back of the card is an offset bond number. Now it's  
17 interesting because what happened when the Federal Reserve  
18 moved in -- in my opinion -- what happened when The Federal  
19 Reserve moved into the United States --

20 BY MR. BRODY:

21 Q. I'm just going to pause you right there. I'm not  
22 asking for your opinion. All I want to do --

23 A. Okay. It's all Brandon. It was all Brandon's --

24 Q. What it is that Brandon taught.

25 A. -- it's Brandon's thing.

1 Q. Thank you.

2 A. Okay. Brandon taught, again, that the -- when the  
3 Federal Reserve Banks moved in, in 1913, they divided America  
4 up into 12 different sections; it was owned by 12 different  
5 banks in the families, and each one of these sections, as you  
6 see on money, is A1, B2, C3, et cetera. There's 12 banks, and  
7 those all relate to the 12A through L, first 12 numbers of the  
8 alphabet. And you'll notice on a dollar bill or anything --  
9 actually it's only on the dollar bill now because ever other  
10 thing of currency only has a Federal Reserve shield on it,  
11 which means it's completely private, but each of the dollar  
12 bill -- like this one "L" is San Francisco, that the offset  
13 bond numbers, which is on the back of the Social Security card,  
14 all start with A through L, and they're, in essence, bond  
15 numbers that the Federal Reserve uses to make -- to print money  
16 out of nothing based on the credit of the people so that put  
17 that into circulation. So if you look on the bill itself, each  
18 one of these bills has A through L number at the beginning of  
19 the card, that in his philosophy related to a Social Security  
20 card that, according to him, was worth theoretically on the  
21 private side billions of dollars because that's what they used  
22 to float the national debt, \$20 trillion national debt,  
23 according to Brandon, was then divided up based on the Social  
24 Security cards that were used, and that's where the asset  
25 account came from.



1 Q. Thank you.

2 I'm going to now play a portion of Defense  
3 Exhibit B4, beginning at time stamp five minutes and 30  
4 seconds.

5 (Video played.)

6 MR. BRODY: Stopping the video at time stamp six  
7 minutes and 49 seconds. I'm going to move on now and play a  
8 clip from Defense Exhibit B5.

9 (Video played.)

10 MR. BRODY: Pause there at time stamp 59 seconds.

11 Q. Mr. Morton, that is you speaking, correct?

12 A. Yes.

13 Q. Who is sitting beside you on your right there?

14 A. Melissa Morton.

15 Q. Thank you.

16 I'm going to continue playing the clip now.

17 (Videotape played.)

18 MR. BRODY: Pausing there at time stamp one minute  
19 and 51 seconds.

20 Q. Mr. Morton, a question for you: There's a background  
21 to this video here. Can you tell me what that is.

22 A. It's -- the background -- you mean the whole thing?  
23 It's his website, the Creditors and Commerce website.

24 Q. Whose website?

25 A. Brandon Adams' Creditors in Commerce website where he

1 had hundreds of thousands of people viewing the website and the  
2 lectures from the book store. This was a movement. There  
3 were -- like I said, hundreds of thousands of people across the  
4 country listening to what Brandon said.

5 Q. To your knowledge did Melissa Morton have access to  
6 that website?

7 A. Yes.

8 Q. Did she access that website?

9 A. I think I accessed it with her, yes.

10 Q. Okay.

11 And did you need a password to get into the  
12 website?

13 A. I can't remember.

14 Q. Okay.

15 A. If we did Brandon just gave us -- we promoted him at  
16 the beginning.

17 Q. What sort of things were available through the  
18 website?

19 A. You know, I have to also remind the jury that this is  
20 a long time ago. This was 2008 into 2009.

21 Q. I understand.

22 A. It's beyond the statute of limitations of my memory  
23 from all of this.

24 Q. Narrowing the question, if you know, or if you  
25 remember, can you remember anything that was available from

1 this website?

2 A. There were lectures; there were videos; there were  
3 events; there was coaching that -- where he -- where he was  
4 offering a service of doing the 1099 OIDs for clients that  
5 again was offered with he, his brother and his father, who was  
6 a CPA. Now, Alexander Adams -- by the way, Alexander Adams is  
7 a CPA. Garrett Adams is the brother that also assisted in  
8 this.

9 Q. Did you ever meet Alexander Adams?

10 A. Yes.

11 Q. Did Melissa Morton meet Alexander Adams to your  
12 knowledge?

13 A. Yes, yes.

14 Q. I want to turn your attention to what's been marked  
15 as Defense Exhibit C for identification. It's in the binder  
16 there. If you can open that up and have a look.

17 A. Oh, okay.

18 Q. Do you know what that is?

19 A. It's shows such cute handwriting. It's Melissa's  
20 notes -- or some of Melissa's notes, a page -- looks like a  
21 page -- or several pages of notes that Melissa took at the  
22 Creditors and Commerce class on October 16th of 2009.

23 Q. If you look through those notes, is the content  
24 typical of what Brandon Adams was teaching?

25 A. Yes, all about truth is your experience; can we -- ca

1 we, the participants, commit to creating, communicating -- yes,  
2 yes, they are. Once again, about -- to look up concepts and  
3 principles, to make sure you use the Bible because all this  
4 stuff is biblical about redemption and the blood of Christ.  
5 Williston on Contracts, which is interesting, an unabridged  
6 dictionary because it's very important to look up words.

7 Q. And if could just -- I'm sorry -- interrupt you at  
8 this point.

9 A. All right.

10 Q. The notes correspond to the subject matter that was  
11 taught by Brandon Adams at lectures you were at?

12 A. That is correct.

13 Q. At lectures that Melissa was at?

14 A. That is correct.

15 MR. BRODY: Move that this exhibit be admitted into  
16 evidence, Your Honor.

17 THE COURT: Received.

18 (Defense Exhibit C received in evidence.)

19 MR. BRODY: May I publish?

20 THE COURT: Yes.

21 BY MR. BRODY:

22 Q. So on page one here, up at the top of the report, we  
23 see the letters "CIC."

24 A. Creditors in Commerce.

25 Q. That refers to Creditors in Commerce?

1 A. Yes.

2 Q. That was Brandon Adams' website?

3 A. Yes, and the name of the class is CIC, October 16th,  
4 2009. That's when we attended this class in Los Angeles. I  
5 think this was at the -- I think it was at the Hilton. It got  
6 so big that it was at the LAX Hilton.

7 Q. Okay. I'm going to scroll down to page five for a  
8 moment here. I'm not going to draw on this because I'm not  
9 sure how to erase it, but towards the bottom there that being a  
10 creditor is a spiritual endeavor.

11 Do you see that?

12 A. Yes.

13 Q. Let me ask you: Was there a spiritual component to  
14 Brandon Adams' lectures?

15 A. Absolutely.

16 Q. Was there a religious component to it?

17 A. Yes, it was all based on the Bible and Christianity  
18 and the philosophy of -- it's the philosophy of -- in the Old  
19 Testament, it's all about bondage, it's all about debt, it's  
20 all about that someone would come some day to help mankind and  
21 save us; and I even -- I lived in India for a while and  
22 actually lived in the compound with the Dalai Lama, and then I  
23 lived in a monastery in Nepal for almost a year, and I would  
24 have these arguments with the monks there because they were all  
25 about the chains of karma, and I said, well, you know, there is

1 somebody that showed up that picked up the tab for the whole  
2 table, you know, so I'm saying spiritual --

3 Q. I'm sorry. I don't mean to interrupt you, but you've  
4 exceeded the scope of my question, but if I can move forward.

5 A. I'm sorry.

6 To say the -- the spiritual aspect of it was,  
7 was that the blood of Christ has redeemed us from debt.

8 Q. And were you a religious person yourself?

9 A. Always have been. We were -- yes, I was raised --  
10 started out as Catholics and Lutheran and fundamentalist  
11 southern Baptists, and then I went off into Buddhism for a  
12 while; but I still maintained my Christian roots. I came back  
13 to that all the time, as far as the spirituality --

14 Q. To your knowledge was Melissa Morton religious?

15 A. Yeah, she was raised Mormon in Utah. Her parents are  
16 like the people that greet people at church in Utah.

17 Q. Did you discuss religion with her?

18 A. Yes, yes, this -- yes, all of our religious beliefs  
19 kind of blended together into something in the commercial  
20 world, which is so unique about Brandon, that he really did  
21 teach, you now, spiritual honor.

22 Q. So is it fair to say that religion was an important  
23 part of your relationship with Ms. Morton?

24 A. Yes, and continues to be.

25 MR. BRODY: Your Honor, I'm sorry, but I've forgotten

1 if I've asked to move Exhibit C into evidence.

2 THE COURT: It's received.

3 BY MR. BRODY:

4 Q. Drawing your attention to page 27 -- I'm sorry. I  
5 have no questions as to the rest of this exhibit.

6 Let me ask you, Mr. Morton, going back a little  
7 bit now. You said that Brandon Adams assisted you with the  
8 1040 tax filings based on the OIDs, yes?

9 A. Yes. We -- yes, he did them.

10 Q. And where did he assist you?

11 A. In Huntington Beach. He had an apartment that was  
12 set up as an office that -- I'm not sure if Garrett Adams lived  
13 with him or not -- Garrett was always there -- where he had  
14 everything to do this, with, again, the help of his father who  
15 was a CPA.

16 Q. And roughly when was it that you went to his  
17 apartment?

18 A. Well, ever since I met him we'd go back and forth,  
19 but it was into 2009 when this was going on.

20 Q. When you went for the preparation of your taxes, was  
21 Melissa Morton with you?

22 A. Yes.

23 Q. Did Brandon Adams ever explain to the two of you how  
24 the 1099 OID process works?

25 A. Yes.

1 Q. And to the best of your recollection, what did he  
2 tell you?

3 A. Okay.

4 That whenever you put money into a bank, that  
5 the bank fractionalizes that money. That's -- we're in a  
6 fractional reserve system. This is what Brandon taught, and  
7 what I believe from my experience in investigating it, but when  
8 you put a dollar in the bank, it used to be the bank could then  
9 loan it out and only have to have 50 cents of that dollar; then  
10 it became like 25 cents; then it became a nickel; then it  
11 became a penny. So, theoretically, every time you put a dollar  
12 in the bank, the bank loans out 99. That's what we call the  
13 fractional interest banking system.

14 Now, they're using your money to do this, and so  
15 they create interest. They're obviously making money off your  
16 money; therefore, what Brandon was saying is when you put money  
17 into the bank, the bank fractionalizes it, and when you take  
18 money out on credit cards, the bank fractionalizes it, and so  
19 this whole system builds up interest -- it basically -- that  
20 the bank makes all this money off your money, which is what  
21 they do. I suppose if Dean Witter did this, or some financial  
22 accountant did this, they'd throw them in jail, but the banks  
23 get to loan your money out.

24 So at the end of the year, there's all this  
25 interest that the bank has made off your money. They don't



1 tell you that it's there, but it's kind of like does anybody  
2 want this? Ollie ollie oxen free, okay, fine, and then the  
3 bank takes it all at the end of the year unless you file a  
4 1099A -- which stands for acquisition and abandonment -- with  
5 the bank to reclaim that interest. That was his theory, that  
6 the money that was there was being generated -- was being  
7 carried by the bank, as far as fractional reserve banking, and  
8 that you had the right to it by filing this -- in an appendix  
9 with the 1099 original issue discount, because you're the  
10 person that put the money in the bank, and the "A" was  
11 abandonment or acquisitions to be able to claim that interest  
12 at the end of the year, which is what his philosophy was; this  
13 is what it was all based on.

14 Q. And that theory was taught at the classes that you  
15 attended?

16 A. Absolutely.

17 Q. And the classes that Ms. Morton attended?

18 A. Absolutely.

19 Again, with hundreds and hundreds of people and  
20 thousands more on the Internet.

21 Q. Now, the 1099 OID forms that accompanied the tax  
22 returns, different years had different amounts of money, and  
23 your OIDs had different amounts of money from Melissa Morton's  
24 OID?

25 A. Yes.

1 Q. What was the basis of those figures? How did you or  
2 Mr. Adams or whoever arrived at those figures, arrive at those  
3 figures?

4 A. We took bank statements; we took credit card  
5 statements; we took -- we took the funds that were actually  
6 put -- funds that were deposited into the accounts, into the  
7 bank accounts.

8 Q. And Mr. Adams computed the appropriate numbers for  
9 you?

10 A. Yes.

11 Q. Where did the actual 1099 OID forms come from?

12 A. The Internal Revenue Service website. They were OMB  
13 forms that were available on the web. Now, it was my  
14 understanding that they were no longer available, and that  
15 they're on Turbo Tax now, a special addition, apparently, and  
16 there was a witness here that said you can still download the  
17 1099 OID off the web. So they're available to the public.

18 Q. Let me ask you this: Can you file returns for --  
19 well, why not file returns for -- going back ten years if  
20 you're entitled to this money? Why file returns only for a  
21 couple of years, according to Brandon Adams, if he had an  
22 answer to that?

23 A. Well, because before -- well, before that, I was  
24 running a religious education organization called Prophecy  
25 Research Institute, which then published the newsletter, and

1 then it was -- because we had -- we had money coming in from  
2 various endeavors from '05 -- from '05 on.

3 Q. Did Mr. Adams teach that there was a limit to the  
4 number of years back you could go in terms of filing these  
5 documents?

6 A. No, I wasn't sure there was. Again, his father was a  
7 CPA. So, you know, I didn't know anything about this when we  
8 got into it other than listening to his classes.

9 Q. Okay.

10 Let me draw your attention for -- to, rather,  
11 Defense Exhibit D, what's been marked as Defense Exhibit D, if  
12 you don't mind.

13 Now, prior to today, have you had a chance to  
14 listen to that audio clip?

15 A. Yes, I have.

16 Q. And is that audio typical of Brandon Adams' teaching  
17 and lectures?

18 A. Yes, it is.

19 Q. And do you recall if you were actually present at  
20 that lecture?

21 A. Yes, I was.

22 Q. And was Melissa Morton present at that lecture?

23 A. Yes, she was.

24 MR. BRODY: Move that Defense Exhibit D be admitted  
25 into evidence, Your Honor.

1 THE COURT: Received.

2 (Defense Exhibit D received in evidence.)

3 MR. BRODY: Thank you.

4 Permission to publish?

5 THE COURT: Granted.

6 MR. BRODY: Okay. Starting from time stamp four  
7 minutes and two seconds.

8 (Video played.)

9 MR. BRODY: And stopping the video at time stamp  
10 seven minutes and ten seconds.

11 Q. Mr. Morton, in total about how many hours would you  
12 say you spent listening to Brandon Adams in one form or  
13 another?

14 A. Oh, my. I mean, if you include the lectures, which  
15 are three or four hours long -- we went to dozens and dozens of  
16 lectures -- things off the website, things -- probably be well  
17 over a hundred hours of this material, of soaking it in and  
18 trying to comprehend it.

19 Q. And to your knowledge, Ms. Morton, about how many  
20 hours --

21 A. Well, she went to all the lectures, as well, and I  
22 can't say what she was doing in her personal time, listening to  
23 it on, you know, iPod or whatever it was, but we were both  
24 pretty inundated in this.

25 Q. If you have any knowledge, where is Brandon Adams

1 now?

2 A. Well, he disappeared. Moved to Humboldt County, we  
3 heard, and then I only learned through this proceedings that he  
4 is in prison, I think, in Arizona.

5 Q. You learned that recently?

6 A. I only learned that through these proceedings when we  
7 tried to contact, and I heard he made a deal with the  
8 government or something.

9 MR. BRODY: I'm going to object to that, Your Honor,  
10 and move to strike the last portion of that as nonresponsive.

11 THE COURT: The last part is stricken.

12 MR. BRODY: Pardon me, Your Honor?

13 THE COURT: The last part is stricken.

14 MR. BRODY: Thank you, Your Honor.

15 THE WITNESS: I don't know.

16 BY MR. BRODY:

17 Q. Before you filed your tax returns with the 1099 OIDs,  
18 had you heard from anybody that this process worked?

19 A. Yes -- I mean, dozens of people who -- who I  
20 personally met and phone conversations -- I related the phone  
21 conversation when we were in Texas, I think it was.

22 Q. Was Melissa Morton present when you met some of these  
23 people?

24 A. Yes. They came to the classes with the checks, and  
25 they had success stories about it, and they actually showed up

1 with photocopies of the checks to show people. So it was a  
2 process that was working where, in our experience, people were  
3 showing us that this was a legitimate process, that they were  
4 legitimately getting returns on this; and I might point out  
5 that Brandon always counseled them to invest the funds and do  
6 something honorable with it and do something spiritual, you  
7 know. That was his philosophy, tithe parts of the money and --  
8 so, yes, over and over and over again I heard on the phone, I  
9 met in person, I met people at the classes, people stood up at  
10 the classes to say that this process had absolutely worked, and  
11 they showed up with the checks in their hands to show us that  
12 the process worked.

13 Q. And at some point, you yourself actually received a  
14 refund, correct?

15 A. Yes, in the form of a check.

16 Q. Was Melissa Morton aware that you'd received that?

17 A. Yes, she was.

18 Q. And did that bolster your belief in the validity of  
19 this process?

20 A. Any reasonable person thinking the process works and  
21 shows you that it works, why would you think any different?

22 Q. Well, at some point you were told by the IRS that it  
23 was a mistake, correct?

24 A. Six months later.

25 Q. And --

1 A. -- and that's when the nightmare began.

2 Q. Well, did you -- let me withdraw that question.

3 Why didn't you take the IRS's word for it?

4 A. I did at the time. I mean, it was -- I still  
5 believed in the process, but it was one of those things where  
6 they claimed -- by the way, they claimed it was a computer  
7 error. They said it was -- they said it was -- they never said  
8 it was illegal or unlawful, they said it was an erroneous  
9 refund, but this happened six months later after the refund,  
10 after the return.

11 Q. And we saw at some point that Melissa Morton was sent  
12 a letter stating that her filing was frivolous.

13 Did you -- were you aware of that letter?

14 A. Yes, but I believe that all of this came -- yes, I  
15 was aware of the letter. I'm not sure if it came after  
16 everything started happening. They showed up on Halloween, six  
17 months later, to say it's an erroneous refund.

18 Q. Well, let me ask you this: To your knowledge, did  
19 Melissa Morton ever contact Brandon Adams to inquire about what  
20 to do in response to that letter?

21 A. Yes, of course.

22 Q. To your knowledge, what did he tell her, if you know?

23 MS. MAKAREWICZ: Objection, Your Honor, foundation,  
24 hearsay.

25 THE COURT: Sustained.

1 BY MR. BRODY:

2 Q. Now, we talked about the 1099 OID fund -- or  
3 returns -- pardon me. Let's talk about some of the other  
4 filings that we heard about from the government.

5 The coupon for settlement, setoff, and closure,  
6 did anyone help you prepare that document?

7 A. That document -- was there another gentleman that was  
8 involved with Brandon that was speaking at his -- it was a  
9 cohost and was speaking at his lectures, and that was a man  
10 named Gordon Hall, and Gordon Hall had actually -- I think he  
11 stayed at our house for a while, but he was another one of  
12 these gurus. He was on *Lifestyles of the Rich and Famous*. You  
13 know, he lived very large. He had a huge mansion in Arizona at  
14 some point. I don't know what happened to all that, but he --  
15 but Gordon was another fellow who was working with Brandon.

16 Q. Did he lecture as well?

17 A. Yes.

18 Q. Did you attend his lectures?

19 A. Yes.

20 Q. Did Melissa Morton attend his lectures?

21 A. Yes.

22 Q. About how many lectures would you say Melissa Morton  
23 attending?

24 A. Probably 20, but, again, knowing him personally  
25 because he stayed at house occasionally.



1 Q. Now, if you know, did Gordon Hall also -- did I get  
2 that name right? -- did Gordon Hall also assist Melissa Morton  
3 in preparing the coupon for settlement, setoff and closure --

4 A. Yes, he did the coupons. That was his idea to do the  
5 coupons.

6 Q. I see.

7 Did you pay Gordon Hall to assist you with that?

8 A. Oh, yeah. He wanted a lot of money.

9 Q. How much?

10 A. Like \$6,000, I think, at one point.

11 Q. And was for both of them or for one of them? Let me  
12 rephrase that.

13 Was that for both coupons or for just your  
14 coupon?

15 A. It was for both of the coupons and other legal advice  
16 he was giving us at the time.

17 Q. Did Mr. Hall ever explain to you and Melissa Morton  
18 how that document was supposed to work?

19 A. Again, it's the same concept that --

20 Q. Can you just answer --

21 A. Yes.

22 Gordon explained, again, the same concept, that  
23 there's a difference between a public exaction, which is a  
24 number that's just kind of made up by the government to -- we  
25 think of them as fines, but -- and that it would access the

1 same fund, but that the coupon had to be accompanied by what  
2 was called a letter rogatory, which explained everything about  
3 the coupon and at the same time said, If you don't like this  
4 for any reason, please send it back. It's all under  
5 the Uniform --

6 Q. Did you draft the letter rogatory?

7 A. No, that was also Gordon.

8 Q. Melissa Morton did not draft the letter rogatory --

9 A. No.

10 Q. Did Melissa Morton ever purport to you to understand  
11 precisely the legal language in the letter rogatory?

12 A. No --

13 MS. MAKAREWICZ: Objection, foundation.

14 THE COURT: Sustained.

15 MS. MAKAREWICZ: Move to strike the answer.

16 THE COURT: There is no answer.

17 BY MR. BRODY:

18 Q. The coupons appear to have been drastically in excess  
19 of what was owed.

20 Why was that, if Gordon Hall explained to you?

21 A. Well, the idea of this was to give them more than  
22 they wanted to access the fund to -- well, I'm not -- to tell  
23 you the truth, I'm not really sure, other than for whatever  
24 reason one response to the coupon was --

25 Q. I'm --

1 A. All right. Never mind. I'm just saying --

2 Q. I'm going to stop you right there. It's  
3 nonresponsive to my question.

4 A. To answer the question -- to answer the question --

5 Q. If you don't know, that's fine. That's your answer.

6 A. It was Gordon's idea that if you gave more out of the  
7 fund, that they would be more likely to honor the coupon, or  
8 that there was something like -- that they could only use a  
9 percentage of it or something, and he had some kind of wacky  
10 explanation for it.

11 Q. Are you familiar with the name Winston Shrout?

12 A. I am.

13 Q. Who is Winston Shrout?

14 A. Winston Shrout, again, is a person who deals in  
15 common law, a person who deals in bonds, a person who deals in  
16 helping people just get the government off your back and out of  
17 your life, and he is a legal expert that teaches -- I mean,  
18 huge classes, again, on the bonds and a lot of things that have  
19 to do with the common law and a lot of things that have to do  
20 with, again, keeping people out of situations like this.

21 Q. And did you go to Mr. Shrout's lectures?

22 A. Yes.

23 Q. Did Melissa Morton go to his lectures?

24 A. Yes, she did.

25 Q. Let me direct your attention to what's been marked as

1 Defense Exhibit G for identification.

2 A. G or D?

3 Q. G.

4 Are you familiar with that video?

5 A. Yes. G, Winston Shrout -- now, his thing was  
6 mastering --

7 Q. Let me just ask you. I'm sorry.

8 Could I just ask you: Had a chance to review  
9 Defense Exhibit G?

10 A. I have.

11 Q. And is that a lecture that Winston Shrout gave?

12 A. It was.

13 Q. Were you present at that lecture?

14 A. I was.

15 Q. And was Melissa Morton present?

16 A. She was.

17 Q. Is it typically of the type of lectures that  
18 Mr. Shrout would give?

19 A. Yes.

20 Q. Did it cover the topic of bonds and finance in  
21 general?

22 A. Yes, that was his thing.

23 MR. BRODY: Move to admit Defense Exhibit G into  
24 evidence.

25 MS. MAKAREWICZ: Objection, foundation as to when

1 this lecture took place.

2 THE COURT: Is there a time?

3 BY MR. BRODY:

4 Q. May I ask you, Mr. Morton, roughly about when this  
5 lecture took place, if you remember.

6 A. I believe this was the Arizona conference, and I  
7 think it would have been around -- to the best of my  
8 recollection, I think it was around 2011.

9 MR. BRODY: Move to admit the exhibit.

10 THE COURT: Received.

11 (Defense Exhibit G received in evidence.)

12 MR. BRODY: Thank you, Your Honor.

13 May I publish?

14 THE COURT: Yes.

15 MR. BRODY: Playing the video from the beginning,  
16 time stamp zero.

17 (Video played.)

18 MR. BRODY: Pausing at time stamp two minutes and 47  
19 seconds.

20 Q. I believe he said something about acceptance for  
21 value?

22 A. Yes.

23 Q. Are you familiar with that concept?

24 A. Yes.

25 Q. When did he teach with respect to that concept?

1           A.    That, once again, there is a charge; therefore,  
2   there's a discharge; so anything that is given to you has to  
3   return. That's the only thing I understand about that:  
4   Accepted for value and honor, return it for value and honor,  
5   that anything that's given to you has a commercial charge,  
6   therefore you have to discharge it by returning whatever  
7   instrument they give you, that was Winston's philosophy.

8           Q.    Did you ever make an attempt to somehow get rid of  
9   the these criminal allegations using methods taught by Winston  
10   Shrout?

11          A.    I think I did a dishonor under the Uniform Commercial  
12   Code 1-308 on various documents, yes.

13          Q.    Is that something that Mr. Shrout taught about?

14          A.    Yes.

15          Q.    And can you explain what he said the theory behind  
16   that was.

17          A.    That, again, for every charge there is a discharge,  
18   and that any of these things are -- all of these things are  
19   basically commercial matters and so ...

20          Q.    Moving forward to time stamp 21 minutes, if I can  
21   find it.

22                        (Video played.)

23               MR. BRODY:   Pausing it at time stamp 23 minutes and  
24   13 seconds.

25               And backing up to time stamp 20 minutes.

1 BY MR. BRODY:

2 Q. Did you recognize your voice in the background there?

3 A. Yeah -- yes.

4 Q. Were you instructed by Mr. Shrout -- let me ask you  
5 this: Where did this conference take place?

6 A. Phoenix, Arizona.

7 Q. At what location, if you remember?

8 A. It was a long time ago. Hotel Hilton, I think.

9 Q. Do you have any recollection of how many people were  
10 present?

11 A. It was a ballroom. So it was filled. So however  
12 much a huge ballroom fills. I would say -- wow -- 800 people,  
13 I would think.

14 Q. Now, Mr. Shrout appears to have been instructing that  
15 the IRS -- let me ask you this: Did Mr. Shrout ever instruct  
16 you at this or any other time that the IRS is not part of the  
17 government?

18 A. Yes.

19 Q. Was this Melissa Morton present when he made that  
20 instruction?

21 A. Yes. He refers to the Steel Co. case actually. I  
22 have a copy of it here if you'd like to see it.

23 Q. Well, can you tell us what he said about how the IRS  
24 is not part of the government?

25 A. Okay. Winston Shrout and publications by the Tea

1 Party -- and -- but what he said was, again, that the -- that  
2 if you look under the United States Code 31 -- I did the  
3 research on this where -- I took his advice -- look up the  
4 United States Code 31 --

5 Q. If you could just confine yourself to what it is he  
6 told you.

7 A. Here it is.

8 So -- that the Internal Revenue Service was an  
9 offshore corporation that was originally domiciled in the  
10 Philippines, that was then domiciled in Puerto Rico as Trust  
11 62, and that the Internal Revenue Service actually acts as a  
12 collection agency for the International Monetary Fund and  
13 that -- in essence, that that -- and they are contracted to the  
14 Federal Reserve, and the Federal Reserve is contracted to the  
15 U.S. Treasury. That is how he explained it, and he backed it  
16 up with various court cases like Steel Co. where U.S. attorneys  
17 said the IRS is not part of the government, it's an independent  
18 collection agency.

19 Q. Let me ask you now -- draw your attention to Defense  
20 Exhibits H and i.

21 Can you have a look at those in the binder.

22 A. Yeah.

23 Q. What are those documents?

24 A. Well, when the IRS busted into our house at gun point  
25 and attacked my wife and assaulted us, they took our computers,



1 and at that time they told us it was going to take 48 hours for  
2 them to download the drives and do whatever. They would have  
3 them back to us. So it took seven months, and it took us  
4 actually working with you to finally get our computers back.

5 So what happened was -- is that they wanted --  
6 again, they wanted us to admit at that time that the IRS agents  
7 returning the computers were government witnesses, and so we --  
8 I believe -- well, this is this one. I don't know.

9 Q. In looking at Exhibit I, did you --

10 A. This one. Nothing in here --

11 Q. I'm looking at already I, first.

12 A. Yeah, I crossed out the word "government" --

13 Q. You crossed out the word "government" on the form?

14 A. Yes, because they were IRS agents.

15 Q. And as to Defense Exhibit H, were you present when  
16 Melissa Morton signed that document?

17 A. Yes.

18 Q. And did she also strike out the word "government"?

19 A. I think I did that actually.

20 Q. Okay.

21 Permission to move these documents into evidence,  
22 Your Honor?

23 THE COURT: Received.

24 (Defense Exhibits H and I received in evidence.)

25 MR. BRODY: Thank you.

1 Q. Let's move on to the bonds.

2 There were bonds that you submitted to the IRS,  
3 correct?

4 A. Yes.

5 Q. And what was the purpose of submitting those bonds to  
6 the IRS?

7 A. To setoff, settle, and discharge the exaction that,  
8 in my opinion, they made up out of thin air. So it was -- it  
9 was an effort to setoff, settle, and discharge the exaction of  
10 the IRS now claiming that we somehow -- that I somehow owed  
11 back taxes to them for which they never provided any proof or  
12 any -- they never wrote us back, ever. We begged, we pleaded,  
13 we called, and these guys just stonewalled us. I mean, you're  
14 fighting this monster that doesn't respond to you, that doesn't  
15 do anything. So we tried everything we could do to resolve the  
16 situation.

17 Q. Now, the bonds -- many of the bonds that we saw had a  
18 lot of legal language in them, correct?

19 A. Yes.

20 Q. The certificates had sort of a flowery border, right?

21 A. It's certificate paper. You can buy it by the box at  
22 Office Depot.

23 Q. Where did the legal language come from?

24 A. Winston Shrout and the Creditors in Commerce and  
25 Mastering Solutions in Commerce, which was, you know, the bonds

1 and the promissory notes to, again, legally and lawfully as we  
2 believed it to set off a public examination.

3 Q. Let me draw your attention to what's been marked as  
4 Defense Exhibit E for identification. Going a little backwards  
5 here, Defense Exhibit E.

6 Have you had a chance to look at that document?

7 A. Yes.

8 Q. And to the best your recollection, where did that  
9 document come from?

10 A. I believe the majority came from Winston Shrout.  
11 It's Winston Shrout.

12 Q. Was that document available for download from the  
13 Creditors in Commerce website?

14 A. I believe so, and also on Winston Shrout's website as  
15 well.

16 Q. Is it typical of the materials that were available on  
17 Creditors in Commerce website?

18 A. Yes.

19 Q. Did Brandon Adams ever discuss the fact that there  
20 were documents available for download on Creditors in Commerce?

21 A. Yes.

22 Q. And did he encourage you to use them in your filings?

23 A. Yes, as did Winston Shrout.

24 Q. And is this typical of one of those documents?

25 A. Yes.

1 MR. BRODY: Permission to move this document into  
2 evidence, Your Honor.

3 THE COURT: Received.

4 (Defense Exhibit E received in evidence.)

5 MR. BRODY: Thank you.

6 Permission to publish.

7 THE COURT: Granted.

8 BY MR. BRODY:

9 Q. This document was available in a Microsoft Word  
10 format as we see it here, correct?

11 A. Yes -- where are we?

12 Q. Oh, I'm sorry. Can you see the exhibit, page one on  
13 the screen?

14 A. What exhibit?

15 Q. The exhibit that I'm showing on the screen.

16 A. Okay. What exhibit is it?

17 Q. It's Defense Exhibit E.

18 A. Yes. This was a --

19 Q. I'm going to draw your attention to page seven, if I  
20 can find it. Yes, page seven.

21 What do you recognize this to be?

22 A. This is a private registered bond, nonnegotiable, for  
23 setoff, basically for setoff, settle, and discharge of a public  
24 exaction, of public debt.

25 Q. That is all I have of this exhibit.

1                   You started helping other people to prepare  
2 bonds at this point; is that correct?

3           A.     Yes.

4           Q.     And you discussed that bond process on your radio  
5 program?

6           A.     I did.

7           Q.     Roughly during what time period were you doing that?

8           A.     I think 2013 it was --

9           Q.     What radio show was that?

10          A.     I have a radio show on Revolution Radio called  
11 Strange Universe Radio.

12          Q.     What sort of topics does that radio program cover?

13          A.     Well, you know, I believe a lot of crazy stuff:  
14 UFOs; leprechauns; that some day the Lakers will be good again;  
15 it's just general stuff. We read things in the news that has  
16 to do with conspiracy theories and politics and economics.  
17 It's a -- I guess you could call it exo-politics, I suppose.  
18 And, of course, since I've been a film and television director  
19 and producer and, you know, investigative reporter for shows  
20 like *Hard Copy* and *Sightings* and all what stuff, I bring that  
21 experience to it; but it's just general topics of the day, and  
22 we try to delve into the news as to what's -- you know, what's  
23 really happening. So what's really behind the scenes.

24          Q.     Let me ask you to have a look at what's been marked  
25 as Defense Exhibit F.

1 Are you familiar with that recording?

2 A. Yeah, 2/15. So 7 -- okay. It's July 23rd, yeah,  
3 okay. Yes.

4 Q. Is that a recording of your radio show?

5 A. Yes.

6 Q. And to your knowledge, did this radio show, or others  
7 like it, result in people approaching you for the assistance  
8 with bonds?

9 A. Yes. Yeah, they kind of knocked our tree house down.  
10 They all came in kind of at once. We were trying to help  
11 people.

12 MR. BRODY: Your Honor, can I move Exhibit F into  
13 evidence?

14 THE COURT: Yes.

15 (Defense Exhibit F received in evidence.)

16 MR. BRODY: And may I publish?

17 THE COURT: Yes.

18 Starting from the beginning, time stamp 00.

19 (Video played.)

20 MR. BRODY: To be clear you said the name "Steve."  
21 You weren't referring to me, correct?

22 A. No. My producer was Steve Traversty at the time.

23 What a terrible recording. Where did you get  
24 this from?

25 MR. BRODY: Continue the video.

1 (Video played.)

2 MR. BRODY: Pause there at time stamp three minutes  
3 and 57 seconds.

4 Q. Let me ask you, Mr. Morton: Was Melissa Morton a  
5 regular listener to your radio?

6 A. Yes, listens to the show every day and then puts it  
7 up on an archive. She is a good wife. She listens to all my  
8 nonsensical on a daily basis.

9 Q. You mentioned in this clip somebody who used a bond;  
10 is that correct?

11 A. Yes.

12 Q. Who was that?

13 A. Carol Meier.

14 Q. What was your understanding from Ms. Meier of what  
15 happened with that bond?

16 A. Well, Carol and I, I think, had known each other for  
17 about ten years, acquaintances, and -- okay. So we met up in  
18 San Francisco, and she approached me after a lecture, and she  
19 said, Look, the wolf is at my door. The bank wants to  
20 foreclose on my house. They have a sale ready. They're going  
21 to auction my house, and they're going to throw me into the  
22 street. They're going to, you know, cause her damage and harm.  
23 And she said, We have a very short period of time to do this  
24 because of the auction that's coming, and, you know, she begged  
25 me. She said, Can you please -- is there anything you think we

1 can do that will help.

2 Q. Let me ask you: Did you ever convey the substance of  
3 this conversation to Ms. Morton? Was she aware of this?

4 A. No, she was -- was.

5 Q. Was she present at the time?

6 A. Yeah, she was present at other conversations that had  
7 to do with this, but the initial conversation was, I think, up  
8 in San Francisco, and, of course, then we became friends with  
9 Carol. I was friends with her before, but, yes, she heard the  
10 gist of Carol's story. We had gone out to dinner, and so Carol  
11 told her the story at dinner, I think.

12 Q. Did you ultimately put together a bond for Ms. Meier?

13 A. I assisted her. She was very knowledgeable, but I  
14 assisted her in the process of putting the paperwork together,  
15 yes.

16 Q. And what happened with that paperwork ultimately?

17 A. The bank backed off. They canceled the sale; they  
18 canceled the auction; they -- at the time Carol showed me  
19 paperwork that had appeared as though -- again, that the bank  
20 had actually canceled out of over -- not exactly sure what the  
21 amount was, but it actually canceled out a very large debt.

22 Q. And did you ever tell Ms. Morton that you believed it  
23 had worked?

24 A. Yes, as did Carol, yes, as well. Again, we had a big  
25 success on this, and that's when's Carol was actually coming on



1 the radio to talk about it.

2 MR. BRODY: I'm going to continue playing from the  
3 current position.

4 (Video played.)

5 MR. BRODY: I'm going to stop the recording at time  
6 stamp four minutes and 40 seconds, and I'm going to move  
7 forward to time stamp -- I'll say in a moment -- moving forward  
8 to time stamp 14 minutes and 47 seconds.

9 (Video played.)

10 THE COURT: Let's finish and then we'll take a short  
11 recess.

12 MR. BRODY: Certainly, Your Honor. I have no  
13 questions of this particular clip. I can just move forward  
14 when we come back.

15 THE COURT: All right. Let's take about eight or ten  
16 minutes and we'll go onto lunch.

17 (Recess)

18 THE COURT: You may continue, Mr. Brody.

19 MR. BRODY: Thank you, Your Honor.

20 I'm just going to continue playing Exhibit F from  
21 time stamp 16 minutes and 53 seconds, and I promise I won't  
22 take too much longer with this examination.

23 (Video played.)

24 MR. BRODY: I'm going to stop there at time stamp 18  
25 minutes and 16 seconds.

1 Moving on quickly here to what's been marked as  
2 Defense Exhibit J for identification.

3 Q. Mr. Morton, can you have a look at Defense Exhibit J.

4 Are you familiar with Defense Exhibit J?

5 A. I am.

6 Q. What is that?

7 A. This is a video clip from another guru, if you will,  
8 a man of -- a very knowledgeable man named Jack Smith, another  
9 person that I admire, and Jack, as a scholar, as a legal  
10 scholar, really, goes into the history of the 1099 OID process.  
11 Once again, the original issue discount, about how when you put  
12 money in the bank, you're the original issuer, the bank  
13 fractionalizes it, loans it out to a bunch of people and never  
14 pays you. That was his philosophy, that was Jack's philosophy.

15 Q. Now, with respect to Defense Exhibit J, were you  
16 present at that lecture?

17 A. Yes.

18 Q. Was Melissa Morton present at that lecture?

19 A. Yes, she was.

20 Q. And roughly about what -- when was that lecture, what  
21 year?

22 A. Jeesh. This probably back -- again, this is in the  
23 whole development stage of this, and I would say January of  
24 2009.

25 Q. And are finance and economics discussed in that

1 lecture?

2 A. Yes, this process specifically, the 1099 OID process.

3 Q. Was it one of the -- well, permission to move into  
4 evidence, Your Honor?

5 THE COURT: It's received.

6 (Defense Exhibit J received in evidence.)

7 MR. BRODY: Thank you, and to publish?

8 THE COURT: Yes.

9 MR. BRODY: Thank you, Your Honor.

10 Q. Starting from time stamp zero at the beginning of the  
11 clip.

12 (Video played.)

13 MR. BRODY: I just want to pause for a moment at time  
14 stamp 13 seconds.

15 Q. Mr. Morton, do you know who the gentleman is who's  
16 just come on the stage in the video?

17 A. Gosh, I don't remember his name, but he was a pastor  
18 or reverend of some kind. That was -- so many -- so long ago.  
19 It's just beyond the statute of limitations of my brain.

20 Q. Proceeding here.

21 (Video played.)

22 MR. BRODY: Stopping at time stamp four minutes and  
23 20 seconds.

24 Q. Let me ask you, Mr. Morton: When you received the --

25 A. By the way, if I could correct this?

1 Q. No, there's no question pending --

2 A. It's Dr. Morton. I have a Ph.D, just so you know.

3 Q. Okay.

4 Let me ask you this: When you received the  
5 refund check from your 1040 filing --

6 A. From the United States Treasury.

7 Q. What form did it come in?

8 A. It was a paper check; it came in the mail.

9 Q. Did you cash this physical check?

10 A. Yes.

11 Q. Did you go to the bank to cash it?

12 A. Yes.

13 Q. And then the funds were moved shortly thereafter,  
14 right?

15 A. Yes.

16 Q. Why?

17 A. We were setting up a film company at the time, and  
18 Asgaard Media, and the funds went into -- eventually went into  
19 a -- stock in the company and finances to kind of set the  
20 company up. That's -- that was it. Unfortunately, the film  
21 company never went public; so everything we had, we lost  
22 because the film company -- the SEC did not actually give the  
23 film company -- they were trying to take it public at the time.  
24 So that was why things got moved around. It was going to the  
25 film company to set things up, try to do some benefit with it.

1 Q. Thank you. Let me shift gears for a moment.

2 Did you and Melissa Morton ever live in Canada?

3 A. Yes.

4 Q. Around what time period was that?

5 A. Same time period back and forth as we were setting up  
6 the film company. So it was like 2009, but I go to Canada  
7 every year to teach at the International Institute of Health  
8 and Spiritual Sciences, which is a -- I think it's part of  
9 McGill University, which is where my Ph.D is from. So I'm  
10 there for probably two months out of the year, and we were  
11 setting everything up in Canada because the -- production  
12 companies -- as you know -- in Los Angeles we shoot in  
13 Vancouver. So the whole idea was to set up everything so we  
14 could actually move into the office or go to the office up  
15 there and do business in Canada.

16 Q. Now, to your knowledge, did Melissa Morton ever  
17 obtain a Canadian identification card of any kind?

18 A. Yes.

19 Q. Was there a number associated with it?

20 A. Yes, there was a Social Insurance Number or SIN card  
21 because the Canadians are all very sensing.

22 Q. Now, I'm going to publish to you Government's Exhibit  
23 33, which has already been admitted into evidence, and I am  
24 going to zoom in here. That number there beginning with the  
25 nine --

1           A.    Yeah, that's her Canadian Social Insurance Number,  
2   which actually you can tell because it has like one more number  
3   than a Social Security card.

4           Q.    Thank you.

5                       On the 1040 tax returns that you filed that are  
6   at issue in this case, did you put your correct Social Security  
7   number on those?

8           A.    I can't remember. I don't even know it actually.  
9   It's terrible.

10          Q.    Did you put your correct address on those forms?

11          A.    I don't -- I can't recall.

12          MR. BRODY: No further questions, Your Honor.

13          THE COURT: Cross-examination.

14          Let me -- approach the sidebar for a second.

15                       (Proceedings held at sidebar:)

16          THE COURT: First let me say that I better understand  
17   the defense position based upon this testimony. In other  
18   words, the questions and your answers make your belief system  
19   clearer to me.

20               The reason I approached the sidebar was it seems to  
21   me that the questions have touched upon every aspect of the  
22   case, even though you called him to the benefit of your client.

23          MR. BRODY: Yes, Your Honor.

24          THE COURT: Correct.

25          What I wanted to do is ask Mr. Morton, before we

1 begin the cross-examination -- I can't allow you to repeat  
2 everything you've said because, you know, it's complete; but  
3 there may be some aspect of your belief system that he hasn't  
4 touched upon that you want to ask a question to yourself about  
5 and answer.

6 MR. BRODY: Do you mean in terms of like  
7 cross-examining himself or --

8 THE COURT: No, no.

9 DEFENDANT SEAN DAVID MORTON: I have the right to do  
10 that, to actually speak out.

11 THE COURT: Well, not really, but you --

12 DEFENDANT SEAN DAVID MORTON: Do I have any rights?

13 THE COURT: You know, you're getting an opportunity  
14 to be heard here, but what I'm getting at is this: I don't  
15 know all there is no know about your position, but based upon  
16 what I've heard, the questions and your answers and the videos  
17 and these persons that you relied on, it's pretty clear to me,  
18 at least, what the basis of your belief is.

19 Now, the question is, is there something else that  
20 forms a part of your belief? It might be better for you to get  
21 it out now.

22 DEFENDANT SEAN DAVID MORTON: I'd like to do that.

23 THE COURT: Then the government can cross-examine  
24 because then they have his complete position.

25 MS. MAKAREWICZ: We agree.

1 DEFENDANT SEAN DAVID MORTON: Thank you, Your Honor.

2 THE COURT: That's what I wanted to say. Is that  
3 acceptable?

4 MR. BRODY: Yes, Your Honor. May I also ask -- I  
5 just wanted to put on the record -- I'm obviously not  
6 purporting to have made Mr. Morton's case, obviously not --

7 THE COURT: I realize that, but in the course of your  
8 questions, we've gone through much of what you might expect to  
9 be his case: The coupons, the bonds, the OIDs. I can't think  
10 of an aspect of the government's evidence that Mr. Morgan  
11 hasn't given an explanation for. But like I said, there may  
12 be -- I don't know. May be something that he has in mind that  
13 he hasn't -- you haven't asked. I want to give him that  
14 opportunity.

15 MR. BRODY: Thank you, Your Honor.

16 DEFENDANT SEAN DAVID MORTON: Thank you, Your Honor.

17 THE COURT: Okay.

18 (Proceedings resumed in open court)

19 THE COURT: Before we resume the examination, let me  
20 explain to the jury what the procedure is.

21 Mr. Morton didn't have an obligation to testify, but  
22 he testified, was asked questions by -- you may be seated -- by  
23 Mr. Brody, who doesn't represent Mr. Morton; Mr. Morton  
24 represents himself. But in the course of Mr. Brody's  
25 examination, which was on behalf of his client, Mrs. Morton,



1 the questions went through, at least from my understanding of  
2 the case, yours may be different -- much of the evidence. In  
3 other words, Mr. Morton gave his beliefs about many of the  
4 aspects of the case the government has charged him with.  
5 Ultimately, that may be part of your decision making.

6 But I'm giving him the opportunity to now essentially  
7 ask himself some questions that may be beyond what Mr. Brody  
8 asked him because he has a right to present his complete  
9 position, and so that's where we're at; and then after that,  
10 I'll give the government the chance to cross-examine him. I'm  
11 using this procedure because I think it's best when the  
12 cross-examination begins, we have his complete testimony.

13 Okay. Mr. Morton, you may begin.

14 THE WITNESS: Thank you, Judge, for the opportunity.

15 I just want to point out to you that it is my belief  
16 this is a common law court, and you will notice at the end of  
17 the prosecution's case, that the plaintiff never showed up,  
18 we're fighting --

19 THE COURT: That's something, Mr. Morton, you can't  
20 get into. That has to do with the jurisdiction of the court.  
21 That's not for you to decide and not for the jury to decide.  
22 So anything that relates to your defense, your belief about the  
23 lawfulness of what occurred, beyond what you've already said,  
24 if there's some aspect that has not been touched upon or that  
25 you wish to add to, you can do that. So proceed as you wish.

1 THE WITNESS: Okay.

2 So this is part of my -- much of this is just about  
3 my deeply held personal beliefs. My beliefs in people,  
4 studying people like Brandon Adams and Jack Smith and Gordon  
5 Hall and the whole movement that was going on at this time, and  
6 this is something I think would enlighten you about the entire  
7 process about what is legal tender for a state exaction. More  
8 appropriately, no court in the United States can make paper a  
9 form of tender and payment for debt --

10 THE COURT: Now, this is -- let me caution the jury.  
11 Mr. Morton is not qualified to give you a legal opinion or a  
12 banking opinion. I'm allowing his testimony because ultimately  
13 one of the things you will have to decide is whether or not he  
14 had a good-faith belief in what he did. The crime involved, or  
15 the crimes involved, require specific intent, that is, bad  
16 faith to violate the -- bad motive, and good faith is a  
17 defense.

18 So I'm not going to allow him to tell you what the  
19 law is or how the banking system works because he hasn't  
20 established, at least in my view, the qualification to do that;  
21 but he can, if he wishes, tell you what he believed the system  
22 involved and what the law was when he did the things that he  
23 did.

24 THE WITNESS: U.S. Supreme Court decision of *Hagar*  
25 *versus Reclamation District*, "The acts of Congress making notes

1 of legal do not apply to" --

2 THE COURT: Just one minute. Let's make it clear to  
3 the jury that this is a case you considered, among other  
4 things, in doing what you did.

5 THE WITNESS: Yes, this was part of my deeply held  
6 beliefs.

7 THE COURT: Then you may proceed.

8 THE WITNESS: "The acts of Congress making notes of  
9 legal tender" --

10 THE REPORTER: Excuse me. I need to make a record;  
11 you need to slow down.

12 THE WITNESS: I have it right here.

13 THE REPORTER: You still need to slow down. Thank  
14 you.

15 THE WITNESS: "The U.S. Supreme Court decision of  
16 *Hagar versus Reclamation District* clearly states and held: The  
17 acts of Congress making notes of legal tender does not apply to  
18 involuntary contributions in the nature of taxes or assessments  
19 exacted under state laws."

20 So what would there be an exemption -- or why would  
21 there be an exemption for a state exaction, like a fine or, you  
22 know, anything the IRS hands you? Because the state can exempt  
23 paper and anything they wish for the state is clearly and  
24 legally prohibited and -- from demanding anything but lawful  
25 money without violating the oath of office of all public

officials, and the law is stated in the U.S. Constitution of 1787; and there's a bunch of case law here that I'm not -- *Beer v. Georgia*; *State v. Anderson*. Now, often laws must be read in full and in context in order to properly understand them. The public policy passed by the U.S. Congress as House Joint Resolution 192, on June 5th of 1933, appears to be explained in the first part of it, "Whereas" -- this is when they took away the gold and silver; this is when they said you couldn't own this -- "Whereas the holding of our dealing in gold affects the public interest and therefore subject to proper regulation and restrictions; whereas the existing emergency has disclosed that provisions of obligations which purport to give the obligee a right to require payment in gold or a particular kind of coin or currency of the United States, or an amount of money of the United States measured thereby obstructs the power of the Congress to regulate the value of money of the United States and are inconsistent with the declared policy of the Congress to maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in payments in full."

So, thus, the public policy that was passed of HRG 192 is the congressional desire to regulate the value of money of the United States and maintain at all times the equal power of every dollar coined or issued. So you got -- you can read that on the Net.

1           However, the U.S. Congress and the U.S. Treasury,  
2 they no longer mint -- they no longer mint coins or dollars  
3 as -- by the way, a dollar -- the definition of a dollar is a  
4 legal measurement of one ounce of .999 fine silver. When  
5 somebody says you need to pay so many dollars, you're like  
6 dollars of what? Because it's a unit of measure, and that's  
7 Black's Law. It allows a privately owned and controlled  
8 interstate corporation that's called the Federal Reserve to  
9 monopolize credit and force us to use only bank credit as a  
10 medium of exchange; therefore, forcing all of us into an  
11 illegal under the Constitution de facto system that is heaping  
12 debt onto future generations. There is already \$1.7 trillion  
13 worth of student loan debt that you're not even allowed to  
14 bankrupt out.

15           So are the people not due a remedy for the state of  
16 affairs? The remedy was HGR 192. That is codified as 31  
17 U.S.C., Section 5118(d)(2). It's a piece of legal authority  
18 for commercial purposes, International bill of exchange item  
19 tendered for discharge of debt, the instrument, as may be  
20 tendered to you through your bank, the financial institution,  
21 and to be negotiated to the United States Treasury for  
22 settlement in an obligation of the United States, under  
23 Title 16, U.S.C., Section 8, representing, as the definition  
24 provides, a certificate of indebtedness drawn upon an  
25 authorized officer of the United States"-- in this case, the

1 Secretary of Treasury -- issued under an act of Congress. In  
2 this case, Public Law 7310 and Title 31, U.S.C., 3123 and 31  
3 U.S.C. 501 and by treaty -- and in this case, the United  
4 Nations Convention of International Bills of Exchange and  
5 International Promissory notes --

6 THE REPORTER: Excuse me. You need to start over  
7 with the last sentence, "and by treaty."

8 THE WITNESS: "And by treaty in this case, the United  
9 Nations Convention on International Bills of Exchange and  
10 International Promissory Notes" -- by the way, the Universal  
11 Postal Union is headquartered in Bern, Switzerland.

12 So then he goes to "The surety bond is legal tender  
13 as a national bank note of a national banking association by  
14 legal tender and/or statutory definition, and it's issued under  
15 the authority of the United States Code, 31 U.S.C., 392, 5103,  
16 which officially defines this as a statutory legal tender of  
17 the United States and is issued in accord with 31 U.S.C., which  
18 establishes and provides for the issuance as public policy in  
19 remedy for discharge of equity interest recovery on the portion  
20 of the public debt to its principles in surety. And as of  
21 October 27, 1977, legal tender or discharge of debt is no  
22 longer required. This is because legal tender is not in  
23 circulation or par with the promise to pay the credit. For  
24 example, I interviewed Janet Yellen at the Federal Reserve back  
25 in 2004. I said, "What's the public debt"?

1 She says, "It's \$8 trillion."

2 I said, "Well, how is that supposed to be paid?"

3 She says, "Well, in federal reserve notes."

4 I said, "How many federal reserve notes are actually  
5 in circulation?"

6 She says, "Oh, about 700 billion."

7 So I said, "How are we supposed to pay any of the  
8 debt that's heaped on the people of the United States?"

9 Her exact words were, "I don't know. Maybe they will  
10 come up with some sort of platonic money system."

11 So anyway, negotiable instruments, bonds, monetary  
12 instruments via -- this is a case called *Guarantee Trust of New*  
13 *York v. Henwood* was enacted to remedy the specific evil of  
14 tying debt to any particular currency of requiring payments in  
15 a greater number of dollars than promised.

16 So since October 27 of '77, there can be no  
17 requirement of repayment in legal tender since legal tender was  
18 not loaned and repayment need only be in an equivalent kind: A  
19 negotiable instrument representing credit or an International  
20 Bill of Exchange. Or as otherwise stated, no one can make  
21 depends in payment in a specific point or currency. So you'll  
22 see a lot of these mortgages, and all of these things will  
23 always say "Cash, Credit or Other." They have to put "other"  
24 in there because there's no way to actually legally pay debt.  
25 It's article I, Section 10. There's no gold or silver -- I'm

1 almost done.

2 Surety bonds are lawful to discharge debt under  
3 Public Law 73-10, 48, 48 statute 1, 12, IJR 192 of 1933; Title  
4 31, U.S.C. 3123, and 31 U.S.C. 5103, and by treaty -- in this  
5 case, the United Nations Convention of Bills of Exchange and  
6 International Promissory Notes and the Universal Postal Union  
7 headquartered in Bern, Switzerland. So the surety bond -- as  
8 was my belief at that time, based on studying all these other  
9 people -- is legal tender as a national bank note or note of a  
10 national banking association by legal and/or statutory  
11 definition. Issued under the authority of legal tender  
12 obligation of the United States and is issued in accordance  
13 with 31 U.S.C. -- and by the way, I believe all this law is  
14 actually in the bonds that we submitted which establish and  
15 provided for its issuance as public policy, remedy for  
16 discharge -- of equity interest recovery on that portion of the  
17 public debt.

18 The whole deal of this was when the United States  
19 went bankrupt, they took all of you 14th Amendment citizens,  
20 like cattle on farm, and they shoved them over to the Federal  
21 Reserve saying, "You own all that now."

22 And this Louis McFadden out of Ohio said, Well,  
23 you've got to give the people something in return or this whole  
24 deal is bogus, and the idea was, okay, since we're borrowing  
25 from the credit of the people -- you heard the prosecution's



1 witnesses up here saying that the -- that the United States  
2 debt is based on the credit of the people of the United States.

3 So what benefit do we get from that? Is there any  
4 benefit to setoff these charges or setoff to help people?  
5 Because we're swimming in debt; we're being crushed by two  
6 organizations, and look what we're going up against today:  
7 It's the banks and their surrogate, the Internal Revenue  
8 Service.

9 So citing the *Henwood* case, it was enacted to remedy  
10 the specific evil. So since October 27th of 1977, there can be  
11 no requirement for repayment of legal tender either since legal  
12 tender was not loaned and repayment need only be paid in the  
13 equivalent kind, or as otherwise stated, no one can make demand  
14 of payment of any specific coin or currency. Last but not  
15 least -- sorry for this.

16 "The private unincorporated persons whose private  
17 assets of the property are being used to collateralize the  
18 obligations of the United States with the Federal Reserve since  
19 1933, are collectively and nationally constituting a legal  
20 class of persons, being a national bank or a national banking  
21 association -- really all of us -- with the right to issue such  
22 notes against the obligations of the United States for equity  
23 interest recovery due and accrued to the principals and  
24 sureties of the United States backing the obligations of the  
25 U.S. currency and credit as a means for legal tender or

1 discharge."

2           So, again, this is -- and I thank the judge for  
3 allowing me to read this because this became part of my  
4 research of understanding this, and that's -- and you'll see  
5 that the one challenge that I constantly objected to, to the  
6 prosecution, was that all of these bonds just disappear. We  
7 can't get them back. In every single case they claim they're  
8 destroyed, and they haven't presented anything that says the  
9 people destroyed it. I'm just saying that these bonds -- it's  
10 still my belief that the bonds are being put on deposit, that  
11 they're still being used, and also my opinion -- my wife was in  
12 banking for many years -- and what would they do with  
13 mortgages? She'd take the mortgage, sign it --

14           MR. BRODY: Objection, Your Honor, relevance. Motion  
15 to strike the reference to Ms. Morton being in banking.

16           THE COURT: Yes, that motion is granted. It's  
17 stricken.

18           THE WITNESS: Last but not least in all this, in  
19 regards to the 1099 OID process, I didn't know anything about  
20 it. I was a spiritual guy writing spiritual newsletters and  
21 talking on the radio and doing a lot of other things with film  
22 production and whatever else, and everything that I heard from  
23 Jack Smith, Tony King and Brandon Adams and Gordon Hall was  
24 that this was a legitimate process under the law. I never  
25 ever, ever in any of this thought that I was breaking a law; I

1 thought that this was the law. I thought that everything that  
2 we were doing was absolutely legal. I had no willful intent to  
3 defraud anybody. I still to this day firmly believe, even  
4 though I have all this evidence to the contrary, that there's  
5 hope for us, that there's got to be some kind of system to  
6 offset the -- just the crushing debt that the banks put us all  
7 under and that there was some way to stand up and be a hero and  
8 help people. As far as the bonds go, people just came to me in  
9 deaspiration, and I told them, Look -- and you'll hear this --  
10 but look I'm not a lawyer. I can't make any guarantees. I  
11 don't know if this is going to work, but we'll give it a try.  
12 Try to save your house or try to save your life in regards to  
13 the 1099 OID process. I -- Brandon Adams' dad was a CPA. As a  
14 matter of fact, Alexander Adams got -- from what I heard,  
15 Alexander Adams got something like 14 million back for people,  
16 and then he was sued by the IRS to make him stop filing the  
17 paperwork, by civil injunction, by the way, not something like  
18 this where it's all -- you know, where it's a criminal debt.

19 And let me also point out that the government is not  
20 seeking any money, they're not seeking any financial --

21 MS. MAKAREWICZ: Objection, Your Honor.

22 THE COURT: That's --

23 THE WITNESS: The last of this, as far as my  
24 testimony, is that, again, I had -- I thought this was the law.  
25 I thought this was the law; I thought it was the way it was

1 written; I thought it was the right of the people because the  
2 people are the credit of the nation in regards to the OIDs. It  
3 made perfect sense to me that the government was actually  
4 taking all the money that we were putting into the banks, that  
5 they were fractionalizing that money, that they were loaning it  
6 all out, and that because they were using that, that we had  
7 some -- that there was some way to file paperwork, which was  
8 available on the IRS's website to be able to get a return or  
9 refund for them using our credit. And again, with regards to  
10 the bonds, we had a great success with them with Carol Meier,  
11 and then the banks would not return them. In every case, in  
12 every bond, we would send them, Is this okay? A notice of  
13 fault. We sent you a notice; we sent you a legal letter of  
14 advice. If there's anything wrong this, send it back, and they  
15 didn't. Then it was a notice of fault, going, Okay, we sent  
16 you a letter 30 days ago that said could you please return our  
17 paperwork because we've given you something of value, nothing,  
18 and then a notice of default and dishonor at the very end,  
19 which was, Okay, I guess we're fine because you haven't  
20 responded to this. There it was.

21 And in regards to the Internal Revenue Service, oh,  
22 my God. Did you ever try to deal with them? They don't answer  
23 their phones; they don't answer correspondence. They just hand  
24 out these frivolous filing -- notices of lien by the way,  
25 notices of lien. There are no federal liens, actual liens,

1 against me anywhere. And I've gone down to the court house and  
2 checked this, and these are all notices of lien, which is like,  
3 I might punch you, but the processes of getting a lien, you got  
4 to go through a court, you got to get a judge, you've got to do  
5 all this stuff. IRS doesn't do any of that; they just hand out  
6 fines. And as I understand it, you're supposed to have a jury  
7 trial. Under common law, a jury trial if you owe somebody more  
8 than 20 bucks.

9 So, anyway, that being said, I just want you to -- I  
10 know it sounds kind of like a closing argument here, but it's  
11 a -- you just got to believe with the OID stuff, we got sucked  
12 in. We got sucked in, and it was like the worse thing now --  
13 you know, after six months of getting the return, then it just  
14 became the worse time of my life because then I just got  
15 hammered. The challenge of this was -- is that first the  
16 return was erroneous. Okay. I wrote them and said, "How is it  
17 erroneous"?

18 Then they turned around and said it was back taxes,  
19 even though they had no proof of that. Then they laid this  
20 gigantic notice of lien on us that -- because when you go to  
21 tax court -- you can't go to tax court because you have to put  
22 the money up first and then go to get it back -- I'm sorry.  
23 We're into lunch hour here -- you have to put the money up  
24 first so they give you this gigantic sum, and then you have to  
25 put that up, and then you have to go fight them and their tax

1 board in order to get it back.

2 So all of this then became a way -- how do we qualify  
3 this faceless monster that won't respond to phone calls, won't  
4 respond to letters, won't respond to anything? So, again, I'm  
5 back to the situation of my dad being an alcoholic, beating on  
6 my mom, where there's nothing you could do about, the monstrous  
7 things.

8 And as far as the bonds go, nobody returned them. As  
9 a matter of fact, you saw in this entire case they returned  
10 one, which was the California Franchise Tax Board, which is  
11 kind of like the mangily bastard child of the Internal Revenue  
12 Service. There's one bond that they produced as actual  
13 original evidence because I'm firmly convinced that the banks  
14 have these on deposit. By the way, they're not for money. You  
15 put them in to set off a debt. The bank puts them on deposit  
16 and borrows money against it to set off the debt.

17 One more thing. If I was to -- you can't use these  
18 between people because if I was to borrow a thousand dollars  
19 from you and pay you back with a bond, there's no way for you  
20 to monetize that bond; there's nothing you can do with it. I'd  
21 be a crook if I hand you a bond for a debt, but if you hand a  
22 bond to the bank, the bank can monetize it. The bank can go to  
23 the Federal Reserve window and create money out of nothing,  
24 which is what they do; that's what our entire economic system  
25 is on, and maybe those days are coming to an end. But I'm just

1 telling you these are only for credit card companies, banks and  
2 institutions like the IRS that can actually take the bonds on  
3 deputy -- this is my theory, my belief -- take these bonds on  
4 deposit and set off, settle, band discharge debt and give us  
5 some kind of relief from the two most vicious and pernicious  
6 organizations on the plant: The Internal Revenue Service and  
7 the banking system. That's all I have to say.

8 THE COURT: This is a convenient time to take the  
9 lunch recess.

10 THE WITNESS: Thank you for your patience.

11 THE COURT: When we come back, we'll begin with the  
12 cross-examination.

13 One hour.

14 (Recess)

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1           **LOS ANGELES, CALIFORNIA; THURSDAY, APRIL 6, 2017; 1:20 P.M.**

2                               - - - - -

3                   (Proceedings held outside the presence of the jury:)

4  
5                   THE COURT:   We're present with defendants and  
6 counsel.

7                   Do you have a motion, Mr. Brody?

8                   MR. BRODY:   I do, Your Honor.

9                   I'm moving for a mistrial, Your Honor, based on  
10 Mr. Morton's statement that Melissa Morton worked in banking  
11 for years.   I know that I objected, and the court struck that  
12 response, but I think under the circumstances in this  
13 particularly sensitive area, there's no way that a curative  
14 instruction is going to be good enough to take that out of the  
15 minds of the jurors.   It's absolutely critical, and it's a  
16 poison pill to the defense for the jury to hear such a thing.  
17 It was improper testimony, and for that reason I'm asking for a  
18 mistrial.

19                  THE COURT:   The motion is denied.

20                  MR. BRODY:   Thank you, Your Honor.

21                  Let's bring the jury down.

22                  THE CLERK:   May I make a motion, Your Honor?

23                  THE COURT:   Yes.

24                  THE CLERK:   Thank, once again.

25                  It is my wish and demand that, once again, that



1 this -- that these proceedings sees. My Sixth Amendment right  
2 to face my accuser are being violated; I have not been able to  
3 argue subject matter jurisdiction or persona jurisdiction, and  
4 this court has moved forward, even though motions have been  
5 placed into the record to argue that. Under the Ninth  
6 Amendment I'm being harmed and my property, and I just wish to  
7 be excused, this case dismissed, and for all of us to go home.

8 THE COURT: The motion is denied.

9 Would you resume the stand.

10 THE WITNESS: Objection.

11 THE COURT: Resume the stand, Mr. Morton.

12 THE WITNESS: Objection.

13 THE COURT: Mr. Morton, let me just tell you outside  
14 the presence of the jury -- and I've tried to use as much  
15 restraint as I have because -- understanding you're  
16 representing yourself, and a certain latitude is to be given,  
17 and I tried to do that, but I'm running out of patience, and if  
18 you fail to follow my orders, you're going to be subject to  
19 contempt; that's a strong warning because contempt could  
20 involve jail time.

21 So please resume the stand and answers the questions  
22 as you have and so forth. Let's proceed in an orderly way.  
23 Please do that.

24 THE WITNESS: May I place this into evidence, please?

25 THE COURT: Yes.

1 Take the witness stand.

2 (Open Court - Jury Present)

3 THE COURT: Cross-examination.

4 **CROSS-EXAMINATION**

5 BY MS. MAKAREWICZ:

6 Q. Are you a Citizen of the United States?

7 A. That's a hard question to answer under the 14th  
8 Amendment.

9 I consider myself a citizen of the state of  
10 California and an American national.

11 Q. Are you a citizen of the United States?

12 A. I've answered your question.

13 MS. MAKAREWICZ: Your Honor, can you please instruct  
14 the witness to answer my question.

15 THE COURT: You can answer the question "yes" or "no"  
16 or "I don't know."

17 THE WITNESS: Again, I'm a citizen of the state of  
18 California, the sovereign people of California, and an American  
19 national; but as far as residing in the ten square miles of  
20 Washington, D.C., that's an interesting question that courts  
21 have gone around and around on regarding the difference between  
22 the 14th Amendment citizens and the sovereignty of California,  
23 like the jury here.

24 BY MS. MAKAREWICZ:

25 Q. Do you reside in the United States, sir.

1           A.     In your definition, I reside in the state of  
2 California and the state of California is -- different  
3 definitions.

4                     Can you define the United States for me, please.

5           Q.     Do you reside in the United States?

6           A.     Again, can you define -- there's different  
7 definitions. Can you define "the United States." Is it "these  
8 United States," "the United States"?

9                     MS. MAKAREWICZ: Your Honor --

10                    THE COURT: I can't go any further. You've asked the  
11 question. He has given the answer, and you can argue the point  
12 at a later time.

13 BY MS. MAKAREWICZ:

14           Q.     Mr. Morton, you say you're a resident of California  
15 Republic.

16           A.     I object to the word "resident."

17           Q.     When I asked you if you're a citizen of the United  
18 States -- can you repeat the answer you gave me with respect to  
19 California.

20           A.     California is a sovereign state amongst the 50  
21 states. It's one of these united -- small u -- states, but  
22 we're a sovereign state, and the sovereign of the people is not  
23 to be overturned.

24           Q.     Have you ever filed a California State Income Tax  
25 return?

1 A. No, being as I haven't -- well, let's -- hasn't been  
2 required, no, as far as my status, no.

3 Q. You've never filed a California State Tax return  
4 since 2000 -- haven't you?

5 A. There's a question of liability actually since 2000.  
6 Question of liability because, again, I was in the process of  
7 running a religious educational organization and may have been  
8 not liability for that; so it's a question of liability.

9 Q. You've not paid any California state income tax since  
10 2000, correct?

11 A. Again, it's a question of liability there. Again, I  
12 ran the Prophecy Research Institute which is published a  
13 magazine that was a religious educational organization.

14 Q. So, no?

15 A. I was not liable to.

16 Q. You enjoy the benefits of being a United States  
17 citizen, don't you?

18 A. Again, vague.

19 Q. You enjoin the protection of the United States  
20 military; isn't that right?

21 A. Well, California has a national guard and local  
22 police. I don't know that I've ever been protected by the  
23 military of the United States.

24 Q. You've been protected by the California National  
25 Guard, right?

1 A. Yes, but --

2 Q. You've been protected against --

3 THE COURT: Let him answer the question.

4 THE WITNESS: Objection, badgering.

5 BY MS. MAKAREWICZ:

6 Q. You've --

7 THE COURT: Let the matter proceed in a way that I  
8 can rule on an objection. He's representing himself, and he  
9 made an objection. So I ruled.

10 Ask the next question.

11 BY MS. MAKAREWICZ:

12 Q. When you came to court today, you drove on a public  
13 road, right?

14 MR. BRODY: Objection, Your Honor, relevance.

15 THE COURT: Sustained.

16 BY MS. MAKAREWICZ:

17 Q. You used the federal court system, correct?

18 MR. BRODY: Object on the same objection, Your Honor.

19 THE COURT: I'll allow a few of these questions.

20 You can answer.

21 THE WITNESS: I would be happy not to; I certainly  
22 don't want to be here. Again, I voiced my objections over and  
23 over again based on jurisdiction and Sixth Amendment and all  
24 the other things that are going on here.

25 ///

1 BY MS. MAKAREWICZ:

2 Q. You used the state court system, too.

3 A. I can't remember when I have. So I can't answer that  
4 question.

5 Q. You don't remember the last time you used the state  
6 court system?

7 A. I -- oh, yes. It was to file a declaratory claim  
8 against the prosecutors for not answering an affidavit of  
9 non-culpability and an affidavit of jurisdiction. So, yes,  
10 there is a declaratory claim in the state system, but they make  
11 you pay for that. I think I had to pay a fee of \$450 in order  
12 to pay for that; so that would pay for it. I don't know if  
13 that answers your question.

14 Q. You sued me?

15 A. I did, yeah, yeah, because you wouldn't answer my  
16 questions because none of you or Jim or you, Valerie, actually  
17 would answer any questions as far as what's the jurisdiction  
18 that you have, what's the jurisdiction, again, of -- under the  
19 Sixth Amendment. How come I'm not facing a plaintiff here  
20 today, and the same aspect, you signed -- you signed an  
21 indictment as a witness to the indictment when you have no  
22 right to do that as an attorney. So all I did in the claim was  
23 a declaratory claim for another judge to come in and say that  
24 you refused to answer my questions in an un rebutted affidavit  
25 stands as proof in fact and truth in law.

1                   So, yes, I sued you, but I paid the court \$450,  
2 I think, to use it. So is that a public exaction? Is that  
3 using the court system? So, yes, I used the California court  
4 system and paid them to do so.

5           Q.    You enjoy water and sewer systems, correct?

6           A.    Yes.

7           Q.    You visited a national park.

8           MR. BRODY:  Objection, Your Honor.

9           THE WITNESS:  Not that I can remember, but what's the  
10 point?

11          MR. BRODY:  Relevance again.

12          THE COURT:  I'll sustain the objection at this point.

13 BY MS. MAKAREWICZ:

14          Q.    You're registered to vote in Los Angeles County,  
15 correct?

16          A.    I believe I revoked that. I did everything I did to  
17 rescind -- as a matter of fact, I think I have the documents  
18 with me that shows that I've rescinded that.

19          Q.    You used the United States Postal Service to mail the  
20 returns that you filed with the Internal Revenue Service,  
21 correct?

22          A.    Which, again, I paid for, and there's a difference  
23 between the United States Post Office as it's described in the  
24 Constitution and the Postal Service which is a private  
25 corporation since 1971.

1 Q. Your wife used the United States Postal Service to  
2 mail the bonds to the banks.

3 MR. BRODY: Objection, foundation and relevance.

4 THE COURT: Sustained.

5 BY MS. MAKAREWICZ:

6 Q. Your healthcare is provided by Anthem Blue Cross  
7 Medical, correct?

8 A. Yes.

9 Q. You mentioned earlier today you've traveled outside  
10 the United States, correct?

11 A. I have.

12 Q. And you used a United States passport to enter the  
13 country upon returning to the United States.

14 A. It's a compelled benefit. I've actually had  
15 diplomatic passports as well from countries and nation states  
16 that we -- that we're attempting to start. So it's one of  
17 those things that, unfortunately, even though we try to get  
18 around it, we've gone to the state department, we've tried to  
19 get to them issue different passport for people who are  
20 actually state citizens of the states, but unfortunately it's a  
21 compelled benefit that one must use to travel.

22 MR. BRODY: Objection, foundation as to the response  
23 "we." Motion to strike.

24 THE WITNESS: Okay. I.

25 THE COURT: Motion to strike part of his answer about



1 what?

2 MR. BRODY: Any portion of his answer referring to  
3 "we," intimating that it would have anything to do with Melissa  
4 Morton.

5 THE COURT: He can testify if he traveled with her.  
6 Why not?

7 MR. BRODY: I would object. It's irrelevant.

8 THE COURT: Overruled.

9 BY MS. MAKAREWICZ:

10 Q. You traveled with Melissa Morton to Mexico, correct?

11 A. Yes.

12 Q. And you and she used United States passports upon  
13 entry in San Pedro, correct?

14 A. No.

15 Q. What did you use when you were confronted by Customs  
16 and Border security?

17 A. I don't know. They're not in San Pedro.

18 Q. When you entered the United States after returning  
19 from Mexico, you went through United States Customs, correct?

20 A. At the border. This is year ago.

21 Q. That's "yes"?

22 A. Yes.

23 Q. And you proffered your United States passport to gain  
24 entry into these United States.

25 A. Again, it's a compelled benefit --

1 Q. Yes?

2 A. It's a compelled benefit.

3 Q. And your wife used her passport too.

4 MR. BRODY: Objection, Your Honor. Relevance.

5 THE COURT: Overruled.

6 THE WITNESS: What is the point of this?

7 BY MS. MAKAREWICZ:

8 Q. Your wife used her passport to gain entry to the  
9 United States.

10 A. That's not in my purview to know.

11 Q. You didn't travel together?

12 A. We did. I don't know what document -- you're asking  
13 for direct knowledge.

14 I object, Your Honor.

15 THE COURT: Objection is overruled.

16 BY MS. MAKAREWICZ:

17 Q. You've flown on airplanes before, correct?

18 THE WITNESS: Objection. This is badgering. Is  
19 there any point to this, Your Honor?

20 THE COURT: Well, I think you've exhausted this  
21 general area.

22 Why don't you proceed to a different subject.

23 MS. MAKAREWICZ: I'd like to bring up on the screen  
24 Exhibit 146, already in evidence.

25 Q. Do you recognize this document, Mr. Morton?

1 A. 2010 -- oh.

2 Yes.

3 Q. You received this document, correct?

4 A. I can't remember.

5 Q. Turn to Exhibit 16, page 11. Already in evidence.

6 You recognize this document, don't you,

7 Mr. Morton?

8 A. Yes.

9 Q. Can you turn to page 11. You attached the letter I  
10 referenced at Exhibit 146 to this document when you filed it  
11 with the Internal Revenue Service.

12 Isn't that true?

13 A. I attached this letter? I attached their letter?  
14 I'm looking at one of their letters.

15 Q. You attached this letter when you mailed your 2005  
16 income tax return at Exhibit 16 to the Internal Revenue  
17 Service, didn't you, sir?

18 A. I can't remember. It was a long time ago.

19 MS. MAKAREWICZ: 147, please.

20 Q. You got this letter from the Internal Revenue  
21 Service, right?

22 A. Looks the same as the other one.

23 Q. This letter.

24 A. Yes.

25 Q. You attached this letter to your returns at Exhibit

1 14 and 17, right?

2 A. I -- again, I don't remember.

3 Q. You have a Social Security number, correct?

4 A. I tried to rescind it over and over. As a matter of  
5 fact, I've had conversations with the Social Security  
6 Administration. When I said, "I don't want this number," and  
7 they said, "Well, just don't use it" was their exact response.  
8 I said, "Can I get that in writing, please?"

9 Q. You used it when you filed your income tax returns.

10 A. Yes, but this was way back in 2009, it wasn't -- a  
11 long time ago.

12 Q. You used it when you filed your income tax returns.

13 A. Back in 2009, which was a long time ago.

14 Q. But you never used your Social Security number when  
15 you opened bank accounts.

16 A. That's a general question, and I don't know what  
17 you're talking about.

18 MS. MAKAREWICZ: Exhibit 23-1, please. Already in  
19 evidence.

20 Q. I turn your attention to the tax identification part  
21 of this signature card.

22 You didn't use your Social Security number when  
23 you opened this bank account, correct?

24 A. I don't see the number that it was opened with.

25 Q. You didn't use any number.

1 A. So?

2 Q. You didn't use any number.

3 A. So?

4 MS. MAKAREWICZ: Exhibit 25-1.

5 Q. When you opened up account 4249 with Mrs. Morton, you  
6 didn't use your Social Security number either, did you?

7 A. Again, so?

8 Q. That's a made-up number, isn't it, sir?

9 A. No.

10 Q. What number is that?

11 A. It was either from a -- well, I was working also as  
12 an ambassador for a foreign nation state at that time. So it  
13 was either a passport number from the Republic of New  
14 Lemuria -- at that time, Lemuria was a -- I was also working in  
15 Canada. So ...

16 Q. You don't know what that number is?

17 A. I can't remember my own Social Security number,  
18 ma'am.

19 MS. MAKAREWICZ: Exhibit 27-1, please.

20 THE WITNESS: By the way, is it legally required to  
21 use a Social Security number is a universal identifier or --  
22 the Social Security Administration doesn't say that.

23 MS. MAKAREWICZ: Move to strike, Your Honor.

24 THE COURT: Stricken.

25 ///

1 BY MS. MAKAREWICZ:

2 Q. I draw your attention to -- one moment.

3 I'm sorry, Your Honor. Exhibit 28.

4 When you opened up account 5891 at Washington  
5 Mutual with your wife, you didn't use a tax I.D. number -- a  
6 Social Security number either.

7 A. Actually, if you'll notice on the left, my employer  
8 at that time was the government of -- it was the Dominion of  
9 Melchizedek, and Melchizedek, once again, owns islands in the  
10 South Pacific, and I was attempted to get nation state status  
11 and a three-code recognition from the United Nations, and as an  
12 ambassador that actually had an ambassadorial passport, I was  
13 immune to filling out tax I.D. numbers and whatever else under  
14 the Ambassadorial Code of the Viennese Convention on Consular  
15 Relations in 1964.

16 Q. This is a made up number, sir.

17 A. It is not.

18 Q. What number is it?

19 A. It's from -- it's from -- you'll see -- the  
20 government of Melchizedek --

21 Q. For what?

22 A. It's from my official passport from the government of  
23 the Dominion of Melchizedek at that time, and they were issuing  
24 passports. Now, it doesn't matter if the country is recognized  
25 by the United States or not.

1 Q. But, sir, when you opted up this account, you  
2 presented your United States passport as identification.

3 A. Passport of the United States of America? Okay. So?  
4 Again, that doesn't mean I can't work as a diplomat for a  
5 foreign nation state. It's what I was doing.

6 Q. So you listed your Social Security number on your tax  
7 returns, correct?

8 A. Back in 2009, I think.

9 Q. And 2010.

10 A. Okay.

11 Q. The same time that you opened up five -- this account  
12 here, 5891, and the previous exhibit, 25, also on the same day,  
13 4/17/09, you used your Social Security number to file tax  
14 returns, correct?

15 A. Back in 2009, yes, and I guess 2010 also.

16 Q. But you didn't use your Social Security number in the  
17 same years to open up bank accounts.

18 A. Again, didn't need to. I was working as an  
19 ambassador for a foreign nation state at that time;  
20 therefore -- and, again, the Social Security card is not  
21 required to be used as a universal identifier.

22 Q. So you used your Social Security number to get claims  
23 for refunds but not when you're trying to hide the money.

24 THE WITNESS: Objection, Your Honor.

25 MR. BRODY: Objection.

1 THE COURT: The objection is sustained.

2 BY MS. MAKAREWICZ:

3 Q. You mentioned Brandon Adams this morning, and he  
4 helped you prepare the returns at issue, and you mentioned also  
5 that his father was a CPA, correct?

6 A. That was my understanding.

7 Q. And you and Melissa Morton paid him to prepare your  
8 returns, correct?

9 A. I can't remember, but I believe so.

10 Q. Can you please turn to Exhibit 3 -- I'm sorry --  
11 Exhibit 4, please.

12 So you paid Mr. Adams or the Adams family to  
13 prepare your income tax return, but they didn't sign it, right?

14 Can you zoom in to "Paid preparer's use only."

15 A. I object. It's not an original of this document.

16 THE COURT: Objection is overruled.

17 BY MS. MAKAREWICZ:

18 Q. You I paid them, but no one signed as the paid  
19 preparer, correct?

20 A. They were tax preparers.

21 MS. MAKAREWICZ: Your Honor, nonresponsive.

22 THE WITNESS: They were the tax preparers.

23 THE COURT: Well, I mean, the jury is looking at the  
24 document, he's given an answer, and that's his answer.

25 ///



1 MS. MAKAREWICZ: Exhibit 6, please.

2 Q. And you and Melissa Morton paid the Adams to prepare

3 --

4 THE WITNESS: Objection, I can't testify for her.

5 MS. MAKAREWICZ:

6 Q. Is there --

7 THE COURT: Ask a question.

8 BY MS. MAKAREWICZ:

9 Q. Is there anyone listed as the paid preparer on  
10 Melissa's 2007 income tax return --

11 MR. BRODY: Objection, Your Honor. The document  
12 speaks for itself.

13 THE COURT: Sustained.

14 BY MS. MAKAREWICZ:

15 Q. Brandon Adams was convicted of filing false bonds,  
16 correct?

17 MR. BRODY: Objection, assumes facts not in evidence.

18 THE WITNESS: I don't know.

19 MS. MAKAREWICZ: He testified earlier that Brandon  
20 Adams was incarcerated.

21 MR. BRODY: That's not correct.

22 THE COURT: But he also testified that he first  
23 learned of that during this trial, I believe; and so if you  
24 want to probe that, you can, but that was his testimony on  
25 direct.

1 MR. BRODY: I will object as to relevance, Your  
2 Honor.

3 THE COURT: Objection on relevance is overruled.  
4 BY MS. MAKAREWICZ:

5 Q. Brandon Adams is incarcerated for filing false bonds,  
6 correct?

7 A. I don't know that.

8 MR. BRODY: Object, assumes facts not in evidence,  
9 Your Honor.

10 THE COURT: Well, she can ask the question if she has  
11 a good-faith belief in the question.

12 Do you?

13 MS. MAKAREWICZ: Yes, sir.

14 THE COURT: All right. You can ask the question.

15 BY MS. MAKAREWICZ:

16 Q. Brandon Adams is currently incarcerated for filing  
17 false bonds, correct?

18 A. Again, I don't know that. I know he's incarcerated.  
19 I don't know for what.

20 MS. MAKAREWICZ: I'd like to use the document  
21 reviewer to turn to Exhibit B of the defendant Melissa Morton's  
22 exhibits.

23 Q. Previously we watched video of lecture part two where  
24 you appeared at The Living Temple.

25 Do you remember that?

1 A. I do?

2 Q. The video that we saw at Exhibit B earlier today.

3 A. I was back at a lecture of Brandon Adams.

4 Q. And you attended that lecture.

5 A. I attended that lecture, yes.

6 Q. And your voice was identified on that video.

7 A. Yes.

8 Q. The entire video wasn't played, correct?

9 A. No.

10 MS. MAKAREWICZ: Your Honor, at this time I would  
11 like to have a portion of the lecture marked as evidence, and I  
12 would like to move to admit it.

13 THE COURT: Any objection?

14 MR. BRODY: Your Honor, it's already in evidence.

15 THE COURT: No, not the part that the prosecution  
16 wants to play apparently.

17 So you can do that.

18 BY MS. MAKAREWICZ:

19 Q. Mr. Morton, you recall at this lecture, you made an  
20 analogy to a cornfield.

21 Do you remember that?

22 A. No.

23 Q. Do you remember comparing the IRS to a scarecrow?

24 A. No.

25 Q. Do you remember telling your fellow attendees that

1 you were all the murder of crows on the cornfield eating the  
2 corn?

3 A. No. I say lots of stupid, funny things.

4 Q. You also told the audience that only very, very small  
5 parts, very, very small amounts of returns are audited by the  
6 IRS. You told that to the attendees at this lecture.

7 Do you remember that?

8 A. No. I'm sure it's there -- maybe it's there, but --  
9 all this stuff is beyond the statute of limitations of my  
10 brain, along with that it should be beyond the statute of  
11 limitations of this, but I don't know why.

12 Q. And you testified that your wife, Melissa, was  
13 sitting next to you at this lecture.

14 A. Yes.

15 MS. MAKAREWICZ: Let's play 5313, please -- a minute  
16 53, 13.

17 THE WITNESS: Objection, Your Honor. Is this trying  
18 to prove that I have some knowledge of the Internal Revenue  
19 system as it works? So I would object to this on the grounds  
20 of a joke, basically.

21 THE COURT: Overruled.

22 THE WITNESS: Exception.

23 MS. MAKAREWICZ: Your Honor, we're having some  
24 technical difficulties. I'd like move on and come back.

25 THE COURT: All right.

1 BY MS. MAKAREWICZ:

2 Q. You mentioned you promoted Brandon Adams. You  
3 promoted his programs, his events, and his coaching. That's  
4 what you said this morning, right?

5 MR. BRODY: I would object to that as assuming facts  
6 not in evidence.

7 THE COURT: Overruled.

8 BY MS. MAKAREWICZ:

9 Q. You promoted Brandon Adams.

10 A. He was my friend. I took people I knew, we went to  
11 the events together. So as far as promoting him goes, I wasn't  
12 on the radio, other than inviting friends of mine to go to his  
13 lectures. That was about it.

14 Q. You said this morning that you promoted Brandon  
15 Adams, his programs, his events, and his coaching.

16 A. I believed in him, but the only one I promoted really  
17 was him to speak at The Living Temple. My promoting was  
18 introducing him to Robin, who ran The Living Temple. He took  
19 it from there.

20 Q. He paid you to promote his scheme, right?

21 A. No.

22 MS. MAKAREWICZ: I'd like to turn to Exhibit --  
23 defendant Melissa Morton's Exhibit C, already in evidence.

24 Q. Earlier this morning you testified that Mrs. Morton  
25 made these notes of Exhibit C on or around October 16, 2009,

1 right?

2 A. Only because it says it on the top, Valerie.

3 Q. Do you have any --

4 Your Honor, could you please instruct the  
5 witness to refer to me as the prosecutor and not by my first  
6 name.

7 THE COURT: Or by your --

8 MS. MAKAREWICZ: Title.

9 THE COURT: -- title or by your last name.

10 MS. MAKAREWICZ: Thank you.

11 THE COURT: Yes. Do that, Mr. Morton.

12 BY MS. MAKAREWICZ:

13 Q. You have no first-hand knowledge about this document,  
14 do you?

15 A. No.

16 MS. MAKAREWICZ: Move to strike, Your Honor.

17 MR. BRODY: Your Honor, goes to weight, not --

18 THE COURT: Move to strike what?

19 MS. MAKAREWICZ: The exhibit. He testified  
20 earlier this morning --

21 THE COURT: Don't argue the objection. You made a  
22 motion to strike Exhibit C, correct?

23 MS. MAKAREWICZ: Yes, sir.

24 THE COURT: Yeah.

25 Based upon his answer, that he has no first-hand

1 knowledge of it?

2 MS. MAKAREWICZ: Yes, Your Honor. He testified  
3 contrary this morning.

4 THE COURT: But he said that these notes were the  
5 notes of his wife who accompanied him to the lecture, correct?

6 MS. MAKAREWICZ: Yes, but he's now changing his  
7 answer.

8 THE WITNESS: That's not true. Objection to that.

9 THE COURT: But did you ever read these notes?

10 THE WITNESS: No, not until they were introduced into  
11 evidence. It's her private notebook. I don't go through her  
12 stuff. The question was first-hand knowledge, Your Honor.

13 THE COURT: In other words, these notes were never  
14 relied upon by you. It was what you heard at the lecture?

15 THE WITNESS: Yes.

16 THE COURT: I see. And so what was the purpose of  
17 the offer then?

18 MR. BRODY: Well, Your Honor, Mr. Morton testified  
19 that this these notes are in the handwriting of his wife. He  
20 testified that the content of the notes is consistent with  
21 the --

22 THE COURT: So in other words, as relates to her.

23 MR. BRODY: Yes, Your Honor.

24 THE COURT: It's some evidence of what she heard.

25 MR. BRODY: Yes, Your Honor.

1 THE COURT: It doesn't relate to him.

2 MR. BRODY: No, Your Honor.

3 THE COURT: So, therefore, Exhibit C is admitted with  
4 regard to Mrs. Morton but not Mr. Morton.

5 MR. BRODY: Thank you, Your Honor.

6 BY MS. MAKAREWICZ:

7 Q. The date on this document is October 16th, 2009 --  
8 correct -- Mr. Morton?

9 A. I'm not looking at the original. So ...

10 MS. MAKAREWICZ: Do we have the originals? May I ask  
11 for those to be produced?

12 MR. BRODY: Your Honor, I have the originals, but  
13 they're at my office. I wasn't expecting to have to produce  
14 the original documents.

15 THE COURT: They're not here.

16 BY MS. MAKAREWICZ:

17 Q. The date on this document is October 16, 2009 --  
18 correct -- sir?

19 A. So you say. I'm not looking at the original  
20 document, am I?

21 Q. But prior to October 16, 2009, you and Mrs. Morton  
22 had already filed your first set of OID returns, correct?

23 A. Well, we only -- we filed everything we did I think  
24 March of 2009.

25 Q. Right.



1 A date prior to the date of this notebook.

2 A. Yes -- well, I don't know. Again, you don't have the  
3 original. I'm looking at dates here -- again, I can only say  
4 that you asked a question about when we filed stuff. As I  
5 said, we filed everything, I think -- Brandon is the one that  
6 actually wrote everything up in March of 2009.

7 Q. The notes came after you got the \$480,000 refund,  
8 correct?

9 A. Again, the question is are these the originals? I  
10 can't say the -- I'm telling you that the refund came in April;  
11 that's all I can answer the question --

12 Q. And April is before October.

13 A. I don't have first-hand knowledge of this document.  
14 Objection badgering.

15 MR. BRODY: Your Honor, I'm going to object as to  
16 relevance.

17 THE COURT: Well, Mr. Morton has said that he never  
18 reviewed these notes; so they're not relevant to his state of  
19 mind. You can ask him about the lecture itself but not the  
20 notes.

21 BY MS. MAKAREWICZ:

22 Q. My understanding was that the defendant Melissa  
23 Morton offered this as proof that she was interested in the OID  
24 system, but that date occurred after the date the returns were  
25 filed.

1 THE WITNESS: Objection.

2 THE COURT: Just one moment.

3 THE WITNESS: Relevance.

4 THE COURT: The document, Exhibit C, is admitted  
5 insofar as Melissa Morton is concerned, not Sean Morton; and  
6 you can ask if there's some relationship between the 1099  
7 filings in March and some subsequent lecture, how he relates  
8 those two things. Stay away from Exhibit C.

9 BY MS. MAKAREWICZ:

10 Q. You mentioned earlier this morning that Gordon Hall  
11 lived with you and your wife.

12 A. I would take exception to "live"; he stayed with us  
13 occasionally.

14 Q. He stayed at your house that you share with your  
15 wife.

16 A. Yes.

17 Q. You said you paid him \$6,000 for his bond process.

18 A. Well, it wasn't just for that. It was for -- it  
19 wasn't just for that. I'm not sure what it all was for, but,  
20 yeah, he wanted a lot of money.

21 Q. You know Gordon Hall was convicted for passing false  
22 financial instruments, too.

23 A. Again, I did not know that until we started doing  
24 that.

25 MR. BRODY: Objection, relevance.

1 THE WITNESS: How is that relevant?

2 THE COURT: You should put a date on these things.

3 MS. MAKAREWICZ: I can, yes.

4 BY MS. MAKAREWICZ:

5 Q. Gordon Hall's judgment in a criminal matter was filed  
6 on June 17th, 2005, where he was convicted of passing false  
7 financial instruments.

8 THE COURT: Is the question did you know that?

9 BY MS. MAKAREWICZ:

10 Q. Did you know that?

11 A. No. It would go to show that we got sucked in by him  
12 again.

13 Q. Earlier this morning you mentioned that after you got  
14 the \$480,000, the IRS began contacting you.

15 A. Not for six months -- actually, no. They sent me  
16 three letters actually about the other years that said that  
17 they -- that they wanted to give me more money for the process,  
18 and then -- but, no, for six months there was nothing.

19 Q. You said this morning that you were contacted  
20 regarding the collection of the erroneous refund around  
21 Halloween.

22 A. Around that, yes.

23 Q. I'd like you to open up binder one or two and turn to  
24 Exhibit 36, please, and let me know when you're ready.

25 A. Nothing is marked. Binder one?

1 Q. Turn to Exhibit 36.

2 THE CLERK: Exhibit 36 placed before the witness.

3 THE WITNESS: Okay.

4 BY MS. MAKAREWICZ:

5 Q. Do you recognize this document, sir?

6 A. So if I may, this was part of a pocket of materials  
7 that was dropped at my front door by a man operating under the  
8 alias of Ted Hansen -- kind of like the mafia -- and,  
9 "Therefore, based on the information available, although we  
10 have not provided you a notice of intent to levy and/or notice  
11 of your right to a hearing generally required by Section 6331  
12 of the IRC" --

13 Q. Sir, I'd like to stop you --

14 A. "Applicable" --

15 Q. -- I haven't moved the exhibit into evidence.

16 A. I noticed that the exhibit, which was dropped at my  
17 door --

18 THE COURT: Mr. Morton, you have to stop your answer  
19 because there's no question pending.

20 THE WITNESS: Ah, all right.

21 BY MS. MAKAREWICZ:

22 Q. Do you recognize this document?

23 A. Yes, it was dropped at my front door.

24 MS. MAKAREWICZ: I'd like to move 36 into evidence,  
25 Your Honor.

1 THE COURT: Received.

2 (Government's Exhibit 36 received in evidence.)

3 MS. MAKAREWICZ: Please publish.

4 Q. This is the notice you got from revenue officer  
5 Hansen regarding the attempt to levy to return the erroneous  
6 refund, right?

7 A. I'm sorry. What's his real name?

8 Q. This is the --

9 A. Revenue officer -- what's his actual name because he  
10 is using an alias, which is how they deal with the public.

11 MS. MAKAREWICZ: Your Honor, nonresponsive.

12 THE WITNESS: No, it's not nonresponsive. What's his  
13 name?

14 THE COURT: At this point in the proceeding,  
15 Mr. Morton, you're to answer questions, not ask them.

16 BY MS. MAKAREWICZ:

17 Q. You received this letter from revenue officer Ted  
18 Hansen, also known as Ted Lepkojus; is that right?

19 A. I didn't see him deliver it in person.

20 Q. You got this letter on your door step?

21 A. I got a letter on my door step. I don't know who it  
22 was from or who dropped it there.

23 Q. You wrote him back after this letter, three days  
24 after this letter, right?

25 A. Yes.

1 Q. Turn to Exhibit 37 -- excuse me -- 38 and take a  
2 moment to review that.

3 A. Okay.

4 Q. This is the letter you wrote Mr. Hansen in response  
5 to the notice of levy; isn't that right?

6 A. Is it the original?

7 MS. MAKAREWICZ: Your Honor, nonresponsive.

8 THE WITNESS: I can say no, but it's not the actual  
9 letter.

10 THE COURT: Follow up if you wish. You might ask him  
11 is it a copy of the letter.

12 BY MS. MAKAREWICZ:

13 Q. Is it a copy of the letter, sir?

14 A. It appears to be.

15 Q. Is that your signature at the bottom?

16 A. No, because it's a copy.

17 MS. MAKAREWICZ: I'd like to move 37 into evidence,  
18 Your Honor -- 38.

19 THE COURT: Received.

20 (Government's Exhibit 38 received in evidence.)

21 MS. MAKAREWICZ: Please publish.

22 Q. The IRS levied account No. 3324, correct?

23 A. I don't know.

24 Q. You had a joint account with your wife at Washington  
25 Mutual, 3324; isn't that right?

1 A. I don't remember that's the number.

2 Q. Let's turn to Exhibit 23-1.

3 You had an account with your wife at Washington  
4 Mutual Bank ending 3234[sic], correct?

5 A. I thought I was removed from this account. Is there  
6 a date on this anywhere?

7 Q. Did you have an account at Washington Mutual bank  
8 ending 3324?

9 A. Appears to be.

10 Q. Can you please turn to Exhibit 24-1.

11 And on April 17th, 2009, you received the refund  
12 of \$480,000 into the joint account you had at Washington Mutual  
13 with your wife ending 3324.

14 A. I guess. Return back to 38, please.

15 I'd like for you to read the first sentence of  
16 that paragraph, sir.

17 MR. BRODY: Objection, Your Honor. The document  
18 speaks for itself.

19 THE COURT: She can ask him to read it. Overruled.

20 THE WITNESS: Can I refuse to read it? All right.

21 You have erroneously and illegally frozen, again, an  
22 account that was -- frozen the J.P. Morgan Chase accounts,  
23 Melissa Ann Thompson Morton, who had absolutely nothing to do  
24 with this matter. It's not my legal wife. Filed tax returns  
25 separately, had separate bank accounts, and is wholly and

1 totally separate from me and anything to do with our business.  
2 Consider this to be fair and proper notice of your illegal  
3 actions which take place which place you outside of your  
4 immunity and makes you personally and commercially liable.  
5 Should she continue to be injured by your actions, both she and  
6 I will hold you personally and commercially responsible and  
7 liable.

8 MS. MAKAREWICZ: Thank you.

9 Q. Your wife wrote Mr. Lepkojus, too, didn't she?

10 MR. BRODY: Objection, foundation, personal  
11 knowledge.

12 THE COURT: Well, she is asking him the question.

13 THE WITNESS: I don't know.

14 BY MS. MAKAREWICZ:

15 Q. Would looking at anything refresh your recollection  
16 as to whether or not your wife wrote Mr. Lepkojus?

17 A. It's not my business, ma'am. I wouldn't know about  
18 that. That would be her writing him, not me.

19 MS. MAKAREWICZ: May I approach the witness, Your  
20 Honor?

21 THE COURT: For refreshing recollection?

22 MS. MAKAREWICZ: Yes, sir.

23 THE COURT: You can do that without showing whatever  
24 you're showing him to the jury.

25 MS. MAKAREWICZ: Yes, sir.



1 BY MS. MAKAREWICZ:

2 Q. Would you let me know when you're finished reading  
3 over that document.

4 THE WITNESS: Objection, Your Honor --

5 THE COURT: Don't describe the document or do  
6 anything with it except respond if you can to the next  
7 question.

8 BY MS. MAKAREWICZ:

9 Q. Your wife wrote Mr. Lepkojus --

10 THE COURT: The next question should be having looked  
11 at whatever you showed him, does it or does it not refresh his  
12 recollection regarding what he didn't remember.

13 MS. MAKAREWICZ: Thank you.

14 THE COURT: That's the question.

15 BY MS. MAKAREWICZ:

16 Q. Is your memory refreshed, Mr. Morton?

17 A. Not really. It's a long time ago.

18 THE COURT: All right. That's the end of it.

19 BY MS. MAKAREWICZ:

20 Q. Do you recall your wife writing revenue officer  
21 Hansen a second time?

22 THE WITNESS: Objection, Your Honor. Where is this  
23 going? It's -- I -- no. She's her own person; I don't know  
24 what she does when I'm not looking at her.

25 THE COURT: He can answer "yes" or "no."

1 THE WITNESS: No.

2 THE COURT: Okay.

3 BY MS. MAKAREWICZ:

4 Q. Would looking at anything refresh your recollection  
5 as to whether or not your wife wrote revenue officer Hansen a  
6 second time?

7 A. No.

8 THE COURT: He doesn't say he had an absence of  
9 recollection; so he answered the question.

10 MS. MAKAREWICZ: Thank you, Your Honor.

11 Q. Do you know how much the Internal Revenue Service  
12 levied account 3324 for?

13 A. I can't remember.

14 Q. Would looking at any document refresh your  
15 recollection as to the amount the IRS levied?

16 A. Looking at a document? Okay.

17 MR. BRODY: Your Honor, I object to this question as  
18 irrelevant.

19 THE COURT: It's overruled on that ground, but the  
20 same process should be followed.

21 THE WITNESS: It says --

22 MR. BRODY: Objection, no question pending.

23 THE COURT: Just look at it, sir, and then wait for  
24 the next question.

25 THE WITNESS: What am I supposed to be recollecting?

1 What is the question?

2 THE COURT: You can ask him when you go back to your  
3 position whether or not that refreshes his recollection about  
4 whatever you asked him. I think it was the amount of the levy.

5 MS. MAKAREWICZ: Yes, sir.

6 Q. That is my question, sir.

7 Is your memory refreshed?

8 A. Yes.

9 Q. How much did the IRS levy your bank account for?

10 A. There's three different things here that say \$100 --  
11 I'm sorry -- says 2,900 --

12 MR. BRODY: Objection, nonresponsive, Your Honor.  
13 The witness cannot testify from his documents. Either his  
14 recollection has been refreshed or it hasn't.

15 THE COURT: Well, that is correct. If his  
16 recollection is refreshed, and that's what the document was  
17 shown to him for, he should tell us what his recollection is.  
18 The question is, again, what was the amount of the levy. Does  
19 he remember the amount of the levy?

20 THE WITNESS: It says --

21 THE COURT: Not what it says, what you remember.

22 THE WITNESS: I have no remembrance, no recollection.

23 THE COURT: He doesn't remember.

24 MS. MAKAREWICZ: May I approach, Your Honor?

25 THE COURT: Yes.

1 THE WITNESS: Again, this was 2009. This is eight  
2 years ago.

3 BY MS. MAKAREWICZ:

4 Q. You testified earlier this morning that you know  
5 Winston Shrout.

6 A. I do.

7 Q. You know him well.

8 A. I do.

9 Q. You know Winston Shrout was indicted by a grand jury  
10 in Oregon in 2015 for passing false bonds.

11 MR. BRODY: Objection, relevance, in light of the  
12 date, Your Honor.

13 THE COURT: Sustained.

14 BY MS. MAKAREWICZ:

15 Q. Now, we listened to a clip from your radio program  
16 this morning -- I believe it was Melissa Morton's Exhibit F --  
17 and you testified this morning that that clip was from 2013,  
18 right?

19 A. Yes.

20 Q. And you also testified that you had great success  
21 with Ms. Meier's bond.

22 A. I believed that at that time, yes.

23 Q. You also testified this morning that in 2013, you  
24 saved her house from a foreclosure auction.

25 That's what you said this morning.

1 A. Yes.

2 Q. And you also said this morning that you told Mrs.  
3 Morton that it was a great success, and that she listened to  
4 you on the radio show describe it.

5 A. Yes.

6 MS. MAKAREWICZ: Your Honor, prior to today's  
7 examination, I have a few more exhibits that I handed to the  
8 clerk, numbered. I also would like the record to reflect I'm  
9 handing defendant Melissa Morton's counsel a copy of that  
10 record. I would like to approach the witness to give him his  
11 own copy of the records.

12 May I?

13 THE COURT: How are these records identified?

14 MS. MAKAREWICZ: By exhibit numbers.

15 THE COURT: What are you showing them?

16 MS. MAKAREWICZ: Mrs. Meier's bond.

17 THE COURT: What exhibit number?

18 MS. MAKAREWICZ: 159.

19 May I approach?

20 THE COURT: Yes.

21 BY MS. MAKAREWICZ:

22 Q. Do you recognize this document, sir, just the one  
23 page?

24 A. You handed me a bunch.

25 Q. There is an exhibit number in the bottom corner, 159.

1 A. Yes.

2 Q. Is that your wife's signature at the bottom?

3 A. As the notary, yes.

4 Q. Turn to the next page.

5 Do your initials appear at the bottom of the  
6 next page?

7 A. Yes.

8 Q. What date did you sign this document?

9 A. Five-eight -- well, 5/8/14.

10 Q. After your call -- or after your radio program with  
11 Ms. Meier -- you testified this morning that you had the call  
12 with Ms. Meier in 2013. We listened to it.

13 Here --

14 A. Yes. Again, I'm not sure.

15 MS. MAKAREWICZ: I'd like to move 159 into evidence,  
16 Your Honor.

17 THE COURT: Received.

18 (Government's Exhibit 159 received in evidence.)

19 MS. MAKAREWICZ: May I publish?

20 THE COURT: Yes.

21 BY MS. MAKAREWICZ:

22 Q. The date of this bond at the bottom is May 8, 2014,  
23 correct?

24 A. Appears to be, not looking at the original.

25 Q. But you testified this morning -- and we heard you

1 speak in 2013 -- that you had great success with Carol Meier's  
2 bond.

3 A. Well, she's here to testify to that herself.

4 Q. How can you discuss your success with this bond when  
5 it hadn't happened?

6 MR. BRODY: Objection, argumentative.

7 THE COURT: Overruled.

8 THE WITNESS: Okay. So you're saying that my memory  
9 is faulty as to when I actually had her on my radio show? It's  
10 a long time ago, a lot of stuff happened. Obviously, haven't  
11 had the best week. My apologies, Your Honor. I'm old. I have  
12 holes my brain.

13 BY MS. MAKAREWICZ:

14 Q. The bond didn't work, Mr. Morton, right? Carol  
15 Meier's bond didn't work.

16 A. Can't say that.

17 Q. You didn't say "perhaps" --

18 A. She's here herself to testify to that.

19 Q. You didn't save her house, did you?

20 A. She is here herself to testify.

21 Q. The bond didn't work.

22 A. I can't say that. Was it returned?

23 MS. MAKAREWICZ: Your Honor, I'd like to have the  
24 witness look at Exhibit 160 and let me know when he's finished.

25 THE WITNESS: I have no firsthand -- I object, Your

1 Honor. I have no firsthand knowledge of these documents; I  
2 don't know what this is, never given to me.

3 THE COURT: Just one moment. All you were asked to  
4 do is look at it, nothing more. Just look at it and let's wait  
5 for the question.

6 THE WITNESS: Okay. I'm looking at it.

7 MS. MAKAREWICZ: Your Honor, I would like the court  
8 to take judicial notice of an official record with respect to  
9 Ms. Meier.

10 THE COURT: But these -- 160 appears to have a court  
11 heading on it, correct?

12 MS. MAKAREWICZ: Yes, Your Honor.

13 THE COURT: And then there's -- is the payment bond  
14 and indemnity attached to it, or is that a separate --

15 MS. MAKAREWICZ: No, it's not, Your Honor.

16 THE WITNESS: Objection.

17 THE COURT: So is this -- just one moment.

18 Now, the question is whether the court can take  
19 judicial notice of Exhibit 160, which is a proceeding from the  
20 Northern District of California, Carol L. Meier. There is no  
21 certification attached to it, is there?

22 MS. MAKAREWICZ: There's none.

23 THE COURT: So, I mean, at this point I'd have to  
24 revisit it because you just handed me a document. I don't know  
25 what it's bone fides is; so we'll have to get into that at some



1 later point.

2 BY MS. MAKAREWICZ:

3 Q. Before you and your wife made Carol Meier's bond, you  
4 helped a woman named Zinaida Gabay, didn't you?

5 A. We did our best.

6 Q. I'd like for you to turn to exhibit --

7 THE WITNESS: Objection, Your Honor. There's no  
8 firsthand witness to back up anything she is saying.

9 Is Mr. Gabay going to testify?

10 THE COURT: Objection is overruled.

11 THE WITNESS: Okay.

12 MS. MAKAREWICZ: I'd like for the witness to turn his  
13 attention to exhibits 162 and let me know when he's ready.

14 THE COURT: Just one moment. The exhibits that I  
15 have are the -- in some disarray; so I don't know what 162 is.  
16 Generally, I have these documents which are in loose form. Let  
17 me see if I can get to 162.

18 I don't seem to have a tab for 162.

19 MS. MAKAREWICZ: If it please the court, I'm happy to  
20 pass up another copy.

21 THE COURT: Would you, please.

22 MS. MAKAREWICZ: Yes.

23 May I approach?

24 THE COURT: Yes.

25 ///

1 BY MS. MAKAREWICZ:

2 Q. Do you recognize this document, sir?

3 A. As what?

4 Q. Do you recognize this document?

5 A. As being what? I recognize the document, but it has  
6 no relevance to what you're saying. So, objection.

7 THE COURT: Overruled. He recognized the document.

8 Ask the next question.

9 MS. MAKAREWICZ: I'm sorry?

10 THE COURT: Ask the next question.

11 MS. MAKAREWICZ: He doesn't --

12 THE COURT: He said he does recognize the document.

13 MS. MAKAREWICZ: May I move this 162 into evidence.

14 MR. BRODY: Objection --

15 THE WITNESS: Objection, Your Honor.

16 MR. BRODY: -- relevance, foundation.

17 THE COURT: Ask another question about it, and  
18 then --

19 BY MS. MAKAREWICZ:

20 Q. Did you assist, or attempt to assist, Ms. Gabay in  
21 sending a bond to the State of California to free her son  
22 Alexander Gabay from prison?

23 A. I don't think we ever did that. We were -- they  
24 wanted our assistance with -- there was a whole other legal  
25 aspect that had to do with his case. So I could tell you --

1 are you trying to claim that this is a bond that had something  
2 to do with Alex Gabay or the Gabays? Doesn't have their name  
3 on it anywhere; that is why I objected to this, Your Honor.

4 MS. MAKAREWICZ: The document, Your Honor, that the  
5 witnesses holding up is not document 162.

6 THE WITNESS: Okay. Sorry.

7 Yeah, this was a list of things that the Gabays paid  
8 us to do as far as legal research for their son Alex.

9 MS. MAKAREWICZ: I'd like to move 162 into evidence.

10 THE COURT: Received.

11 (Government's Exhibit 162 received in evidence.)

12 BY MS. MAKAREWICZ:

13 Q. I'd like for you to take a look at 163 and 164.

14 A. Okay.

15 Q. Do you recognize these documents?

16 A. No, because I never processed them or received them.  
17 I don't handle finances like this. No, I've never seen these  
18 people.

19 Q. Are you the co-owner of Heaven & Earth LLC?

20 A. I don't handle money at all. So I -- I think I'm on  
21 the account.

22 Q. Are you the co-owner of Heaven & Earth LLC?

23 A. Again, I think I'm on the account.

24 Q. Did Ms. Gabay write you checks to pay for your  
25 services?

1           A.     For legal research, yes. Her son had a very  
2     difficult case. We wanted to investigate -- she wanted us to  
3     investigate a bunch of stuff, and we had an itemized list here  
4     of things that we -- we run a business -- of all the stuff they  
5     asked us to do, and in the end, they wound up owing us money  
6     because they didn't pay --

7           MR. BRODY: Objection, nonresponsive from this point  
8     further.

9           THE COURT: The answer is nonresponsive. It can be  
10    stricken.

11   BY MS. MAKAREWICZ:

12           Q.     You and your wife prepared a bond for Mr. Gabay,  
13     right?

14           A.     Does this have anything to do with --

15                   Objection, Your Honor, as to relevance.

16           THE COURT: Overruled.

17           THE WITNESS: Exception.

18   BY MS. MAKAREWICZ:

19           Q.     Did you and your wife prepare a bond for Alexander  
20     Gabay?

21           A.     I can't remember.

22           Q.     Is Mr. Gabay still in prison?

23           A.     Yeah, because the Gabays didn't want to complete the  
24     process. They --

25           MR. BRODY: Objection, nonresponsive beyond the word

1 "yes," Your Honor.

2 THE COURT: Just one moment, Mr. Morton.

3 What was the objection?

4 MR. BRODY: The objection was that the answer was  
5 nonresponsive after Mr. Morton said the word "yes."

6 THE COURT: And the answer "yes" stands.

7 MR. BRODY: And the rest is stricken, Your Honor?

8 THE COURT: Stricken.

9 MR. BRODY: Thank you.

10 BY MS. MAKAREWICZ:

11 Q. Before Carol Meier came on your show in 2013, and  
12 before your contract or business services rendered to -- I'm  
13 sorry, Your Honor. May I publish this exhibit?

14 THE COURT: Which exhibit?

15 MS. MAKAREWICZ: 162.

16 THE COURT: Yes.

17 BY MS. MAKAREWICZ:

18 Q. The date of this invoice is December 13, 2012.

19 Is that correct?

20 A. It's not the original, but that's what it says on  
21 your paper.

22 Q. And you charged Ms. Gabay \$2,555.33. You and your  
23 wife charged that amount to Ms. Gabay for legal research  
24 regarding her son.

25 MR. BRODY: Objection, compound question.

1 THE COURT: Sustained.

2 BY MS. MAKAREWICZ:

3 Q. Did you and Mrs. Morton charge Ms. Gabay \$2,555.33  
4 with respect to your assistance of Alexander Gabay?

5 A. Yes.

6 Q. Prior to Ms. Gabay --

7 THE WITNESS: Objection to this, Your Honor. The  
8 Gabays never completed the process. This goes nowhere.

9 THE COURT: Overruled.

10 BY MS. MAKAREWICZ:

11 Q. This morning you testified that you also said you  
12 were successful in getting long-term sentences released on the  
13 bond program.

14 Do you remember saying that?

15 A. I said -- I believe I said people had done it. I  
16 believe the exact words were other people that had success. I  
17 also said I wasn't an attorney, and this was for entertainment  
18 purpose only, which is the disclaimer on every one of those  
19 radio programs, if you remember, ma'am.

20 Q. Prior to your assistance, you and your wife, with  
21 Mr. Gabay, you made another bond to assist someone to get out  
22 of prison.

23 Do you remember?

24 A. I don't remember, no.

25 MS. MAKAREWICZ: Your Honor, can I have the witness

1 turn to Exhibit 161.

2 THE COURT: Just look at 161, without any comment.

3 THE WITNESS: Okay.

4 BY MS. MAKAREWICZ:

5 Q. Do you recognize this document?

6 A. Yes.

7 Q. What is it?

8 A. Nonnegotiable payment bond and indemnity.

9 Q. Is that your signature on the document?

10 A. Only as a witness.

11 Q. Is that your signature?

12 A. As a witness.

13 MS. MAKAREWICZ: Move 161 into evidence, Your Honor.

14 THE COURT: Again, the exhibits aren't in order. So  
15 what is 161?

16 MS. MAKAREWICZ: It is a nonnegotiable payment bond  
17 and indemnity.

18 THE COURT: In what amount?

19 MS. MAKAREWICZ: \$7 billion.

20 THE COURT: Just one moment.

21 THE WITNESS: Objection, Your Honor, to this because  
22 she's intimating by having my signature on the document that I  
23 somehow endorsed the document other than just being a witness  
24 to the person who is signing the document.

25 So that's her nefarious intimation.

1 THE COURT: Could you hand up --

2 MS. MAKAREWICZ: Yes, sir --

3 THE COURT: -- a copy of that.

4 I do see it, yes. It's received.

5 (Government's Exhibit 161 received in evidence.)

6 MS. MAKAREWICZ: May I publish, Your Honor?

7 THE COURT: Yes.

8 BY MS. MAKAREWICZ:

9 Q. How much is this bond for, Mr. Morton?

10 A. \$7 billion.

11 Q. Who is --

12 A. "Value at par" is what it says, \$7 billion U.S.D.

13 Q. Who is the securities intermediary?

14 A. The intermediary, just the intermediary, would be  
15 U.S. Dept. Treasury.

16 Q. Who's the indemnified party?

17 A. State of California, state capitol building,  
18 indemnified parties.

19 Q. That's your signature, sir?

20 A. As a witness to Scott Charles Seehausen; it was his  
21 bond.

22 Q. Mr. Seehausen is still in prison, isn't he?

23 A. He is.

24 Q. So on your radio show that we listened to this  
25 morning, you advertised certain products, right?



1 A. No.

2 Q. Never heard of a product named Pyradyne?

3 A. Pyradyne.

4 Q. Or Pyradyne. Sorry.

5 A. Yes.

6 Objection, Your Honor. This has no relevance to  
7 anything --

8 THE COURT: What is that now?

9 MR. BRODY: Objection, relevance, Your Honor.

10 THE COURT: It's just a foundational question. I  
11 have no idea what is coming up. Do you?

12 MR. BRODY: I don't, Your Honor.

13 THE COURT: I'll have to wait for the next question.  
14 I can't get an offer of proof on every question.

15 BY MS. MAKAREWICZ:

16 Q. Do you advertise for Fame Financially Acclaimed  
17 Marketing Enterprises on your radio show?

18 A. No.

19 MS. MAKAREWICZ: Your Honor, I'd like the witness to  
20 look at Exhibit 157.

21 Let me know when you're finished.

22 THE COURT: Just let me get to 157.

23 MR. BRODY: I'm objecting as to relevance. If this  
24 is going to be a series of questions, I would ask that we can  
25 come sidebar and ask if we can discuss it because I don't know

1 what's coming.

2 THE COURT: All right. Let's go to sidebar.

3 I think we have to take a short recess for the jury's  
4 convenience. So let's do that.

5 (Proceedings held outside the presence of the jury:)

6 THE COURT: Since we're outside the presence of the  
7 jury, would everyone return to their positions, and we can hear  
8 whatever is going to be argued in open court.

9 Can you give Mr. Brody and the court some general  
10 idea of you're going.

11 MS. MAKAREWICZ: These are two checks, one -- both  
12 made to Heaven & Earth, one in 2010 and one in 2012. And I  
13 would like have these identified and then moved into evidence  
14 to show receipt of income by the Mortons that was not reported  
15 on their income tax returns.

16 THE COURT: You mean the \$2,000?

17 MS. MAKAREWICZ: And the 3500, yes.

18 THE COURT: What is the relevance of that in light of  
19 the charges? In other words, there's no charge of tax evasion  
20 or even a false income tax return.

21 THE WITNESS: Thank you, Your Honor --

22 THE COURT: What was that?

23 THE WITNESS: Thank you, sir.

24 THE COURT: Oh.

25 So how does this sufficiently relate to the charges?

1 MS. MAKAREWICZ: That the Mortons received income,  
2 legitimate income, but do not report it on their income tax  
3 returns.

4 THE COURT: So you're saying -- "legitimate" is a  
5 term that's been used in various ways in this case.

6 What do you mean by "legitimate" in terms of this  
7 check?

8 MS. MAKAREWICZ: With respect to the Serenity Health  
9 Organization and the New Life Expo, Mr. Morton testified  
10 earlier this morning that he speaks at such events and this  
11 check goes --

12 THE COURT: What was that again?

13 MS. MAKAREWICZ: The 156, Serenity Health  
14 Organization, New Life Magazine --

15 THE COURT: 156. Let me see that one. Okay. Hold  
16 it. 156. Okay.

17 So 156 is a check from the Serenity Health  
18 Organization to Heaven & Earth in the amount of \$3500, and I  
19 see it now. Again, how does this tie in?

20 MS. MAKAREWICZ: That the defendants earned an income  
21 through legitimate commercial paper but do not report that  
22 income on any tax returns but instead file false tax returns  
23 reporting fake OID income or no income at all.

24 MR. BRODY: Your Honor --

25 THE WITNESS: Objection.

1 MR. BRODY: -- it's not probative of any element of  
2 any crime charged in this case. It's totally irrelevant.

3 THE COURT: I mean, it would show that the tax  
4 returns that they filed, if the offer of proof is correct,  
5 don't reflect this check.

6 Was there any income at all reported in the relevant  
7 time year, that would be the tax year of 2010?

8 Did the tax returns of the Mortons or Mr. Morton  
9 reflect any income?

10 MS. MAKAREWICZ: Mr. Morton didn't file a tax return  
11 in 2010, Your Honor.

12 THE COURT: And so that gets to the question of  
13 whether he was required to because the minimum amount required  
14 for filing a tax return has increased over the years. I don't  
15 know specifically what it was in 2010, but my sense is it's  
16 more than \$3500.

17 MR. BRODY: Certainly I think that's exactly the  
18 problem, Your Honor. In addition the government would have to  
19 bring in an expert to tell us that this is even the sort of  
20 income that must be reported or where it would be reported.

21 THE COURT: And then there is also the issue which,  
22 we haven't explored, but which has been mentioned that Heaven &  
23 Earth is a nonprofit organization.

24 MR. BRODY: Correct.

25 THE COURT: And if it is, it would have different

1 filing requirements. It injects a whole series of collateral  
2 matters. I can't parse that out easily.

3 MS. MAKAREWICZ: That's fine, Your Honor. We'll  
4 withdraw the exhibits.

5 THE COURT: Yes.

6 MR. BRODY: Could we have a brief break to use the  
7 restroom?

8 THE COURT: Yes.

9 MR. BRODY: Thank you.

10 (Recess)

11 (Open Court - Jury Present)

12 BY MS. MAKAREWICZ:

13 Q. We previously discussed you speaking at the Creditors  
14 in Commerce --

15 THE WITNESS: If I -- may I revisit a question, Your  
16 Honor?

17 THE COURT: No.

18 THE WITNESS: Just to answer the rest of her  
19 question.

20 BY MS. MAKAREWICZ:

21 Q. We previously discussed statements you made at  
22 Creditors in Commerce, session 12, which is defendant Melissa  
23 Morton's Exhibit B. We had some technical difficulty, and  
24 those have been resolved.

25 THE WITNESS: May I ask if the prosecutor wants a

1 complete answer to the Alexander Gabay document?

2 THE COURT: No. Let's just proceed, and after the  
3 prosecutor is finished with her questions, you have an  
4 opportunity to redirect yourself as to questions that she  
5 asked.

6 THE WITNESS: Understood, Your Honor.

7 THE COURT: Let's do it at that time.

8 Go ahead.

9 MS. MAKAREWICZ: Your Honor, I would like to check to  
10 see if this video clip has been admitted into evidence so I  
11 might publish it.

12 THE COURT: Yes, it is.

13 BY MS. MAKAREWICZ:

14 Q. Mr. Morton, you were warned by attorneys that what  
15 you were doing was illegal; isn't that correct?

16 A. I have no recollection of that.

17 MS. MAKAREWICZ: Play it.

18 (Video played.)

19 THE WITNESS: Just one quick comment on this is that  
20 we went on with --

21 THE COURT: Just one moment, Mr. Morton, please.  
22 Start again.

23 MS. MAKAREWICZ: That's him.

24 THE COURT: Oh, that was him?

25 MS. MAKAREWICZ: Yes.

1 (Laughter)

2 THE COURT: I'm getting overwhelmed here.

3 MS. MAKAREWICZ: May we resume?

4 THE COURT: That was a moment of unexpected humor.

5 MS. MAKAREWICZ: Thank you, Your Honor.

6 Please play.

7 (Video played.)

8 BY MS. MAKAREWICZ:

9 Q. You were warned by attorneys that what you were doing  
10 was illegal, weren't you, Mr. Morton?

11 A. I don't remember what attorneys. I don't know if I  
12 was just making a joke. I don't remember anybody specifically.

13 Q. Melissa was sitting next to you?

14 A. I don't understand your question.

15 Q. This person here is Melissa Morton?

16 A. That's the top of her lovely head, yes, I think.

17 MS. MAKAREWICZ: No further questions, Your Honor.

18 THE COURT: You have an opportunity, if you wish,  
19 Mr. Morton, to redirect, that is, to ask yourself some  
20 questions but only with regard to new matters that the  
21 prosecutor asked you about on cross-examination. In other  
22 words, it's not an opportunity to review what you previously  
23 said on direct, but if there were some matters that you were  
24 cross-examined on that you think you have to explain more than  
25 you are able to on cross-examination, this is your opportunity.

1 But ask yourself a question first and then go ahead.

2 DEFENDANT SEAN DAVID MORTON: Okay.

3 **CROSS-EXAMINATION**

4 BY DEFENDANT SEAN DAVID MORTON:

5 Q. So the question I would ask myself is what was the --  
6 what were the itemized items on the Heaven & Earth LLC document  
7 preparation for Alexander Gabay, okay? That's a question?

8 For example, on this -- Alexander is a friend,  
9 and he's spending -- we think unwrongly -- a life prison  
10 sentence. His parents are very old, and they asked us to do  
11 things for Alexander. We would visit him at the prison, and  
12 the very top three of this, which is a JPay for copies and  
13 office supplies -- a Jpay is -- that's \$603.70. That's money  
14 that you send to the prison for the person so that they can buy  
15 office supplies so that they can actually help in their own  
16 defense, a Jpay for computer repair. Alexander had a computer  
17 in the prison. It got broken somehow. So we actually -- we  
18 forwarded the money -- this is why we sent the bill to the  
19 Gabays -- because we spent \$603.70 to help him with -- a Jpay  
20 is a thing where you put on an account where you buy packets of  
21 things for people that are incarcerated.

22 So we sent the \$630.70 to get him office  
23 supplies so he could assist in his defense. There was a JPay  
24 for computer repairs. He had a lap top computer actually in  
25 the prison. GTL stands for Global Tel Link, which is a payment



1 for phone calls so he could actually call us, once again,  
2 giving comfort to these people who are having just horrible,  
3 horrible lives in there and Access Secure Pack, which is  
4 supplies; typewriter ribbon; it's food that they don't get  
5 there. The typewriter ribbon was actually for his typewriter  
6 so he actually typed out documents. And then notary documents,  
7 everything else, these were all to California marking  
8 impression seal, all of this at the request of his parents, and  
9 he himself, was for us to assist him in his defense.

10 And in the relation of our findings some things  
11 in the California Code going all the way back to 1974 that had  
12 to do with whether or not any judgment in California is  
13 lawfully signed by a judge and not an abstract of judgment. I  
14 also point out that the -- this has been entered into evidence  
15 for the jury, Your Honor?

16 THE COURT: Yes.

17 THE WITNESS: So, for example, just to show you that  
18 this process was being used by a lot of different people, we  
19 didn't do this bond. This is by Scott Seehausen. Scott  
20 Seehausen did the bond. All I did is, because I had his I.D.  
21 and I knew who he was, I just witnessed who he was so that he  
22 could submit this bond. Now, if the seven billion sounds like  
23 a crazy number, remember, in this philosophy, there's no money  
24 on the private side. There's -- whether or not every single  
25 one of you there's a theory that they divide up your Social

1 Security by the national debt --

2 THE REPORTER: Excuse me. You need to slow down.

3 THE WITNESS: Where do you want me to start?

4 THE REPORTER: "They divide up the Social Security."

5 THE WITNESS: So if you take \$20 trillion and you  
6 divided -- this is a theory, mind you -- you divide that by the  
7 number of Social Security cards and offset bond numbers on the  
8 back of the cards, which is what they put on Federal Reserve  
9 notes as money, that that's how much each one of you are worth.  
10 There's actually a website where you can look it up. I think  
11 I'm only worth \$60 billion, which is very low, but there's no  
12 money. Again, it's just that aspect because it's all Federal  
13 Reserve notes, which is all private.

14 And in regards to the -- we'll talk about this later.  
15 Should I mention that -- we'll talk about this later. This is  
16 the Carol Meier bankruptcy. This was filed in 2011. This was  
17 way before --

18 THE COURT: That's not in evidence, unless you want  
19 to talk about it.

20 THE WITNESS: Nope. We'll talk about that later on.

21 And, again -- okay. Was there any relevance to  
22 Ms. Makarewicz's throwing spaghetti against the wall. They're  
23 just trying to just -- if any one of us had our lives dug  
24 through like this, they're just throwing a bunch of crap  
25 against the wall to try to make something stick. Again, they

1 have no original documents; they have no eyewitnesses; they  
2 produced one bond, California Franchise Tax Board, and it is  
3 our contention where -- question: Where did the bonds go? We  
4 continue to believe because they won't give them back, that the  
5 bond's been placed on deposit with the banks, and they're  
6 earning interest, and the usual process the banks used is they  
7 take your mortgage as an example --

8 MR. BRODY: I'm sorry, Your Honor. Just going to  
9 object as to foundation with respect to Mr. Morton saying "we  
10 believe" in light of --

11 THE WITNESS: Shall I say in the philosophy of  
12 Brandon Adams and Winston ShROUT and the people I studied with  
13 and in my experience with talking to people in the banking  
14 industry --

15 MR. BRODY: I'm sorry, Mr. Morton.

16 Can I have a ruling on that objection, Your Honor?

17 THE COURT: The objection regarding his use of "we"  
18 is sustained.

19 MR. BRODY: And that portion of the answer is  
20 stricken?

21 THE COURT: Yes.

22 MR. BRODY: Thank you, Your Honor.

23 THE WITNESS: The "we" has nothing to do with my  
24 wife. "We" would be people who believe what I believe, that  
25 the mortgages -- your mortgage is taken, and they make a

1 photocopy of it, and they put that in the vault, a certified  
2 copy, and then they start selling your mortgage or your bond or  
3 whatever on the secondary bond market, which means they paid  
4 your mortgage off by the time it hit the bank -- I hate to bore  
5 you with the rest of it, but it's -- nothing further unless you  
6 have --

7 MR. BRODY: Your Honor, can I inquire of this  
8 witness? I believe it would be cross-examination of his  
9 testimony.

10 THE COURT: Only insofar as it concerns your client.  
11 I mean.

12 MR. BRODY: Yes, Your Honor.

13 THE COURT: Go ahead.

14 MR. BRODY: Thank you.

15 **CROSS-EXAMINATION**

16 BY MR. BRODY:

17 Q. So we saw that some of the 1040 documents did not  
18 have Brandon Adams' name on them as a preparer, but he did help  
19 you prepare those documents, correct?

20 A. He and Garrett under the supervision of -- Alexander,  
21 his father, a CPA, did the documents. We provided the receipts  
22 so that every single one of those entries is absolutely  
23 correct, and we signed the bottom of the documents. But,  
24 again, Mr. Brody, we had no idea about any of this stuff --

25 Q. Okay. Thank you, Mr. Morton. Thank you.

1 Now, you and Melissa Morton attend lectures of  
2 Brandon Adams before filing any 1040s based on the OID  
3 document, correct?

4 A. Yes.

5 Q. Okay. In fact, you learned of the whole 1099 OID  
6 process from Brandon Adams, correct?

7 A. Yes. He was one of many people, Jack Smith, Tony  
8 King, Gordon -- Gordon -- who else was out there? It was a  
9 fad. I'm an investigative reporter. It's -- I go out into the  
10 forest, and I tried stuff, and then I come back, and I'm shot  
11 all full of arrows going, Hey, there's Indians in that forest.  
12 That's my job. That's why I -- you know, that's why I found  
13 places like Area 51; investigating things like the Chupacabra  
14 in Puerto Rico; and when I was working for *Hard Copy*, we did  
15 stories on the TWA Flight 800; Princess Diana; JFK, Jr. It's  
16 my job investigate things, try them and see if they work and  
17 then report on how things come down. It's how I make my living  
18 on my radio show; it's how I made my living as television  
19 producer, as somebody who did things themselves, not just sat  
20 back and read them, you know, read stuff on the Internet but a  
21 person who's directly there and had the direct knowledge, which  
22 is probably another reason why the government hates my guts so  
23 much because, you know, I've exposed a lot of things that  
24 they're up to.

25 Q. One last question for you, Mr. Morton.

1                   Is it possible that you were mistaken about the  
2 radio program you listened to, and that, in fact, it was from  
3 2015?

4           A.    Yes, yes --

5           Q.    Thank you.  No further questions.

6           A.    It's been a long day; I've had no sleep.  So, ladies  
7 and gentlemen of the jury, thank you for your patience.

8           THE COURT:  You can step down.  Sir.  Thank you.

9                   Any other witnesses?

10           MR. BRODY:  Yes, Your Honor.  Defendant Melissa  
11 Morton will be calling Carol Meier, and I'll have to go out and  
12 fetch her myself if you just give me one moment.

13           THE COURT:  Yes.

14                               (Witness sworn.)

15           THE WITNESS:  I do.

16           THE CLERK:  Thank you.  Please state your full name  
17 and spell it for the record.

18           THE WITNESS:  Carol Lee DePuydt-Meier, D-e -- capital  
19 P-u-y-d-t - hyphen -- M-e-i-e-r.

20           **CAROL DePUYDT-MEIER, DEFENDANT'S WITNESS, SWORN, TESTIFIED:**

21                               **DIRECT EXAMINATION**

22   BY MR. BRODY:

23           Q.    Good afternoon, Ms. Meier.  Thank you for being here.

24           A.    Thank you.

25           Q.    Can you tell me:  How do you know Sean David Morton

1 if you know him?

2 A. I've known Sean, I'm guessing, for about ten years as  
3 a casual acquaintance through the Whole Life Expos that are  
4 held around the United States but every year in Northern  
5 California, and I met him through some mutual friends. It's a  
6 mind-body-spirit type of expo, and he's been speaking there for  
7 many years, and I've gotten to know him casually through a  
8 mutual group of friends.

9 Q. Are you familiar with his radio program?

10 A. I am.

11 Q. Have you listened to that?

12 A. I have.

13 Q. How many times would you say listened to it?

14 A. Gosh.

15 Q. If you don't know, rough guess. I mean, more than  
16 ten?

17 A. Probably, yeah. Maybe less than ten. Not a lot  
18 because I see Sean. You know, I see him so I don't really  
19 listen to his show as much as maybe I'd like.

20 Q. Now, were you ever a guest on his radio program?

21 A. Yes, I was.

22 Q. How many times were you a guest on his radio program?

23 A. Once.

24 Q. And in what year was that?

25 A. I think maybe 2015, but I'm not 100 percent sure.

1 Q. Okay.

2 I'm going to play a brief excerpt from Defense  
3 Exhibit F. If you would just listen to this for a moment. I'm  
4 starting at time stamp 50 minutes and 27 seconds.

5 (Audio played.)

6 BY MR. BRODY:

7 Q. I'm going to pause there at time stamp 50 minutes and  
8 40 seconds.

9 Do you recognize that voice.

10 A. I do.

11 Q. Is that you?

12 A. Yes, it is.

13 Q. Is that from the one time you appeared on  
14 Mr. Morton's radio show?

15 A. Yes, it is.

16 Q. Now, did you appear on the radio show -- let me ask  
17 you this: Did Mr. Morton ever assist you in preparing a bond?

18 A. What do you mean by "assist"?

19 Q. Did he ever prepare a bond for you?

20 A. Yes.

21 Q. And was that before or after you appeared on the  
22 radio show?

23 A. Before.

24 Q. Okay.

25 Did Mr. Morton ever explain to you how the bond



1 was supposed to work?

2 A. Yes.

3 Q. And what was his explanation? What was your  
4 understanding of his explanation?

5 A. What I learned from Sean was -- yeah, obviously, I'm  
6 not an attorney, and I'm not schooled in law but -- so this is  
7 just generally, you know, what I understand -- is that the bond  
8 is a legal instrument that the banks have used all the time --  
9 that banks used regularly to get funds from the federal  
10 reserve. It is a legal instrument. It has been -- it's used  
11 as a credit-for-debit swap so nobody gets any money from any of  
12 this because we're based -- from what I understand and what  
13 I've learned from him, we're based on a fiat currency. If this  
14 was based on the gold -- if we were on the gold standard, we  
15 would not be able to do any of this.

16 So that the bond, once properly prepared,  
17 properly authenticated by the State of California, properly  
18 notarized, properly signed, properly filed -- has to be in  
19 order, has to be stamped a certain way, would then be sent to  
20 the bank. The bank would then be -- they would be able to put  
21 it on deposit with the Federal Reserve and then create -- then  
22 they would receive credits for that.

23 The bond that we -- that was done for me was  
24 done in the amount of \$5 million. The value -- the amount that  
25 the bank was stating was owed on the house was about \$700,000

1 or something --

2 Q. Okay. I'm sorry --

3 A. Am I going on too far? Sorry. I don't know how much  
4 you want me to say.

5 Q. No, that's quite all right. Let me ask a couple of  
6 follow-up questions to narrow it down a bit.

7 Now, you mentioned a house. The bond was  
8 prepared for what purpose?

9 A. To help -- to actually take care of the bank and to  
10 set off -- and this is what I've learned, the terminology I  
11 learned -- set-off, settle and discharge the loan for the loan  
12 that was attached to my property.

13 Q. And the process you described earlier, that's what  
14 Mr. Morton explained you to, correct?

15 A. Yes, yes, and I obviously learned more from him as  
16 well.

17 Q. And did he strike you as knowledgeable on those  
18 points?

19 A. Extremely.

20 Q. And did he seem credible to you?

21 A. Very.

22 Q. Did you ever inquire with him what his qualifications  
23 were?

24 A. Oh, gosh. I've known Sean for ten years in that  
25 regard. We've been good friends for the -- or better friends

1 for the, you know, four years since we've been working together  
2 on this. But his credibility -- yes -- I mean, I know his  
3 credentials; I know many of them.

4 Q. Did you ever tell Mr. Morton that it appeared the  
5 bond had worked?

6 A. Yeah, I believe it worked, yeah. I do.

7 Q. And what made you believe that it had worked?

8 A. Because two weeks after they got at, the foreclosure  
9 was canceled, and the bank went away, and I contacted our  
10 credit union -- not the credit union, the credit reporting  
11 agencies, and the bank had deleted all information from my  
12 account; everything was gone. I mean, there wasn't anything on  
13 it.

14 Q. Okay.

15 Now, is that what you talked about on  
16 Mr. Morton's radio show?

17 A. Yes, yeah.

18 Q. Okay.

19 Have you had any contact with Melissa Morton?

20 A. Yes, I have.

21 Q. And have you known her for the same amount of time  
22 you've known Sean David Morton?

23 A. Not as long. Melissa didn't come to the -- you know,  
24 I didn't see Melissa at the shows. Not as long. I've known  
25 her for about -- I've known her about -- I apologize for

1 stumbling; I'm a little dry right now. I've know here about --  
2 I think maybe four years, right around the same time?

3 Q. Now, Melissa Morton has never explained to you the  
4 workings of the bond, correct?

5 A. Oh, no, never.

6 Q. She's never described any of the legal processes to  
7 you.

8 A. No.

9 Q. She's never quoted any case law to you.

10 A. No.

11 Q. She's never cited any statutes to you.

12 A. Never.

13 Q. And she never suggested to you that she might think  
14 this bond process was illegal somehow, correct?

15 A. Never.

16 Q. Okay.

17 Those are all of the questions I have at the  
18 moment, Ms. Meier. Thank you very much.

19 THE COURT: Did you have any further questions,  
20 Mr. Morton?

21 DEFENDANT SEAN DAVID MORTON: Yes. I do. Thank you.

22 **DIRECT EXAMINATION**

23 BY DEFENDANT SEAN DAVID MORTON:

24 Q. Hello, Carol.

25 A. Hi.

1 Q. Let's just straighten this out.

2 You had a bankruptcy in 2011, right?

3 A. Yes, I did.

4 Q. Again, did it have anything to do with the bond  
5 process?

6 A. No, it had nothing -- no, we hadn't done the bond.  
7 This is before you and I ever began.

8 Q. Do you mind telling me the reasons behind the  
9 bankruptcy.

10 A. I'd been in foreclosure for seven -- or I was in  
11 foreclosure for seven years with U.S. Bank, and this was a  
12 strategic move to stop the foreclosure and to go for loan  
13 modification at the time.

14 Q. All right.

15 When we met at the -- at the Whole Life Expo, I  
16 believe in San Mateo -- I think -- not met, but when we saw  
17 each other again in San Mateo -- could you just describe for me  
18 what you said to me at that time about what your situation  
19 was -- your rather -- you described, I think, as your dire  
20 situation.

21 A. I did, I did. I had just finished watching one of  
22 your lectures and learned a great deal about the global  
23 currency; the economy; the central banking system; the  
24 bankruptcies of 1933; fiat currencies. You know, all of the  
25 things -- how our banking system has evolved over time and --

1 et cetera. And so during that, I was so -- it was so  
2 informative, and at that time, was there a foreclosure -- a  
3 trustee sale scheduled for my property and I was thrilled to  
4 find a way for you to help me solve it.

5 Q. When you approached me at the show, how many days --  
6 do you know approximately how many days before they were going  
7 to foreclose on their house was it --

8 A. I don't remember, but I do remember going up to you  
9 and saying, I need your help right now.

10 Q. Was it a week, two weeks, very short period of time  
11 that you remember that they were going to foreclose -- the  
12 wolves were at your door; they were going to foreclose --

13 A. The wolves were at my door, absolutely, absolutely,  
14 yeah.

15 Q. Thank you.

16 Did -- in your experience with the bond process,  
17 you came in contact with attorneys; you came in contact with  
18 legal people; you came in contact with courts, et cetera,  
19 et cetera.

20 How many people did you come in contact legally  
21 in regards to -- after we had done the bond?

22 A. Oh.

23 Q. Legally -- in other words, in the legal banking,  
24 courts, judges, lawyers?

25 A. Oh, oh, my God. Since the bond -- yes and yes and

1 yes and yes. I mean, I've been dealing with the bank; I've  
2 been dealing with my attorney; I went over the bond with my  
3 attorney. The court system -- yes, I've been involved with  
4 numerous people.

5 Q. Okay.

6 This is important: Did anyone at any time tell  
7 you that this was illegal?

8 A. Never.

9 Q. Thank you.

10 Okay. I have to ask these questions for a  
11 defense: Did you ever think I was trying to rip you off?

12 A. No, absolutely not.

13 Q. Did you ever think that I had a culpable state of  
14 mind to rob you?

15 A. Never.

16 Q. Did you think that I willfully or intentionally tried  
17 to steal your money?

18 A. No.

19 Q. Have I always been there for you when you've called?

20 A. Yes and more.

21 Q. Have I -- every service that you've asked me to  
22 perform, have I done?

23 A. Yes and more.

24 Q. Thank you.

25 Trying to think of what else here.

1 Okay. Excuse us.

2 (Discussion held off the record)

3 DEFENDANT SEAN DAVID MORTON: Since that's the --  
4 basically the gist of this entire case, I can't thank you  
5 enough for being here, for taking your time, and I very much  
6 appreciate you. Thank you very much.

7 No further questions, Your Honor.

8 THE COURT: All right. Cross-examination.

9 MR. HUGHES: Thank you, Your Honor.

10 **CROSS-EXAMINATION**

11 BY MR. HUGHES:

12 Q. Good afternoon, Ms. Meier.

13 A. Hello.

14 Q. Would you mind turning to Exhibit 159. It's in  
15 evidence.

16 It should be in one of the piles of documents in  
17 front of you.

18 THE COURT: Is that the bankruptcy --

19 MR. HUGHES: It is the bond, Your Honor.

20 THE COURT: Fifty-nine?

21 MR. HUGHES: 159. It wouldn't be in the binder. It  
22 would be a -- most recently added exhibits.

23 THE WITNESS: Oh.

24 THE COURT: Is that the \$7 million bond?

25 MR. HUGHES: That is correct, Your Honor.



1 THE WITNESS: Five million.

2 MR. HUGHES: \$5 million, and I will go ahead and  
3 publish.

4 THE CLERK: The exhibits are not on the witness  
5 stand.

6 MS. MAKAREWICZ: It's in evidence.

7 THE CLERK: Exhibit 159 placed before the witness.

8 THE COURT: Is that the bond?

9 MR. HUGHES: Yes, Your Honor.

10 Q. Ms. Meier, did you receive this bond, or was it  
11 issued at approximately this date?

12 A. What do you mean did I receive it?

13 Q. Was this the date that this bond was sent to your  
14 bank or around that time?

15 A. I won't know the date that it was actually sent to  
16 the bank without looking at the certified mail and the return  
17 registered receipt to give you the exact date, but, I mean,  
18 this is my signature, and this is a copy -- looks like a copy  
19 of the bond that was prepared for me.

20 Q. Since the day of this bond, you've remained in  
21 contact with Mr. Morton, correct?

22 A. Yes, I have.

23 Q. He's continued to provide you with advice?

24 A. Yeah, he is -- yeah, he is always been a great --  
25 he's been a great resource for me. I have many resources.

1 Q. You filed for bankruptcy in November of 2014, did you  
2 not?

3 A. I don't know. I filed in 2011. I have filed since  
4 then, but I don't know -- I don't remember the exact date in  
5 2014.

6 Q. Would seeing a document refresh your recollection?

7 A. Probably. I'm sure I probably did. I'm sure that  
8 you're correct.

9 MR. HUGHES: May I approach, Your Honor?

10 THE COURT: Well, she said you're probably correct.

11 THE WITNESS: You're probably correct. I don't know  
12 the exact date, but I've had the file -- I mean, I have filed  
13 before so ...

14 Q. Just take a look at what has been marked as Exhibit  
15 160 and just take a look at it let me know when you've had a  
16 chance to review it.

17 A. There's nothing that's come up yet.

18 THE COURT: Can you help, Paul, with 160. 160.

19 THE CLERK: Exhibit 156 placed before the witness --

20 THE COURT: That's 160.

21 MR. HUGHES: It's 160, Your Honor.

22 THE CLERK: 160.

23 THE WITNESS: Yeah, this is mine.

24 BY MR. BRODY:

25 Q. Okay. Would you please turn to page five of five.

1                   Actually, Your Honor, may I move to admit this  
2 exhibit?

3                   THE COURT: Yes, it's admitted.

4                   (Defendant's Exhibit 160 received in evidence.)

5                   THE WITNESS: Okay.

6 BY MR. HUGHES:

7                   Q. And ask you to read this passage right there.

8                   A. "U.S. Bank has continued to move forward with a  
9 trustee sale against my home. That is still on calendar for  
10 November 17, 2014, at 1:00 p.m. U.S. Bank and their trustee,  
11 Old Republic Default Manager Services, have ignored all my  
12 efforts to resolve this matter; therefore, leaving me with  
13 no" -- option -- "with no other options and not enough time in  
14 order to save my home."

15                  Q. Is that your handwriting?

16                  A. Yes, it is.

17                  Q. And this is after you received your bond from  
18 Mr. Morton, correct?

19                  A. Yeah -- the bond -- what is the date of the bond?  
20 May 2014. It was probably served U.S. Bank shortly thereafter,  
21 and this was done on what date? 11/14. So, yeah, this was  
22 done after the bond.

23                  MR. HUGHES: No further questions.

24                  MR. BRODY: May I inquire, Your Honor?

25                  THE COURT: Yes.

**REDIRECT EXAMINATION**

BY MR. BRODY:

Q. So Ms. Meier, when you see that document which indicates that you -- that there was a forced sale of your home, why do you say that the bond worked?

A. Because they went away. They went away for about two months, and, again, they deleted all of my -- all of their data about my account or anything off of -- off the credit score; so we had assumed that it was working. And then about two months later, all of a sudden they popped back up again, and, you know, they've gone through -- I don't know -- how many trustees, and every time they get a new trustee they try again.

Q. So at this point, have you given up on the utility of the bond?

A. No, I haven't. I believe that it's valid; I believe that it worked; I believe that they work; I believe it's a legal instrument that the banks use all the time, and that because I've been very fortunate enough and lucky to get the education and the resource to use this avenue to take care of the bank, which was not my lender but -- anyway, but to take care of him -- or them and to set this off and kind of -- you know, I used it, but so -- I'm sorry. I got a little -- what was the question?

Q. Thank you. That's a perfectly fine response. Thank

1 you, Ms. Meier.

2 I have no further questions.

3 THE WITNESS: Thank you.

4 THE COURT: Okay. Thank you, Ms. Meier. You may  
5 step down.

6 THE WITNESS: You're welcome.

7 THE COURT: Thank you.

8 THE WITNESS: All right. Do you want these?

9 THE COURT: You can leave them there.

10 Does that complete the evidence in the case?

11 MR. BRODY: Ms. Morton has no further witnesses, Your  
12 Honor.

13 THE COURT: Government?

14 MR. HUGHES: I have no further witnesses, Judge.

15 MS. MAKAREWICZ: We have none.

16 THE COURT: So members of the jury, the evidence in  
17 the case is now complete on both sides, and what remains is for  
18 the court to instruct you on the law which applies to this  
19 case. I didn't have any forewarning as to when the case would  
20 end. I have to discuss the jury instructions briefly with the  
21 lawyers. So I hate to make you run back and forth, but it will  
22 take around 15 minutes or so. We discussed them somewhat  
23 already; then I'll instruct you on the law, and then the  
24 lawyers will deliver their final arguments, and then you'll  
25 have the case for decision. So would you mind filing out for a

1 few moments.

2 (Proceedings held outside the presence of the jury:)

3 THE COURT: I've prepared jury instructions based  
4 upon the submissions the parties made. As I said yesterday,  
5 there was only one really significant issue, and that concerned  
6 whether or not the court would give a good faith instruction.  
7 And I indicated yesterday, I would, and so that's included;  
8 otherwise, the instructions are pretty much as you  
9 contemplated, but I have a complete set. I'm going to get it  
10 to you so you can look at it, and then I'll come back out, and  
11 you can give me your comments whether you agree with them or  
12 not and so forth.

13 MR. BRODY: Thank, Your Honor. Can I raise one other  
14 issue?

15 THE COURT: Yes.

16 MR. BRODY: Is the jury going to be given a copy of  
17 the indictment?

18 THE COURT: No.

19 MR. BRODY: And also I had previously moved under  
20 Rule 29 for a dismissal, and I believe the court took that  
21 under submission, but I don't know if Your Honor --

22 THE COURT: Yes, I'm going to deny that.

23 MR. BRODY: Thank, Your Honor.

24 THE COURT: So I'll get that to you in a few moments.  
25 I'll leave the bench for a few moments, give you a chance to

1 look them over. The first part of them is just the general  
2 instructions which I believe apply to the case, and they're  
3 essentially taken from the Ninth Circuit Pattern Jury  
4 Instruction Model Book, and then they include an instruction  
5 about opinion evidence because of Mr. Kerr, and then that  
6 instruction about summaries in evidence. There were some  
7 summaries in evidence. And the rest are pretty pro forma.  
8 Then there are instructions about the elements of the offenses  
9 charged. There's an instruction about knowingly and the good  
10 faith instruction; and I think that's most of it, but you can  
11 take a look at it. Okay.

12 (Recess)

13 (Proceedings held outside the presence of the jury:)

14 THE COURT: Defendants and counsel are present.

15 Are there any objections to the jury instructions?

16 I'll start with the government.

17 MR. HUGHES: No objections from the government, Your  
18 Honor, except the government would like to note that in the  
19 joint instruction No. 5 regarding the requirements for  
20 conspiracy charge, the government did file a notice of errata  
21 stating that the instruction -- when at least one overt had to  
22 occur by should be changed from March 2009 to November 4, 2010,  
23 to comply with the statute of limitations.

24 THE COURT: To comply with what again?

25 MR. HUGHES: With the statute of limitations, Your

1 Honor.

2 THE COURT: What was the date -- the change?

3 MR. HUGHES: November 4th, 2010.

4 THE COURT: That should be the correct date?

5 MR. HUGHES: Yes, Your Honor.

6 THE COURT: I see.

7 What about Mr. Brody? What are your thoughts?

8 MR. BRODY: On that matter, submitted, Your Honor.

9 THE COURT: What about the instructions?

10 MR. BRODY: I do have a couple of points.

11 THE COURT: Yes.

12 MR. BRODY: There's an instruction -- and I'm sorry  
13 they weren't numbered --

14 THE COURT: Yes, I ...

15 MR. BRODY: There was an instruction that said that  
16 you are instructed the Internal Revenue Service is a department  
17 or agency of the United States.

18 THE COURT: Yes.

19 MR. BRODY: It's the same objection that I made in  
20 the -- when we submitted our disputed jury instructions. I  
21 think that's an element of the offense, has to be a claim  
22 against the United States, and so I think that the court would  
23 be, in effect, directing a finding as to one of the elements.

24 THE COURT: I see, but the only evidence in the case  
25 was that it is ...



1 MR. BRODY: Again, I feel it would be a fact for the  
2 jury to find. I'm not going to say that I'm not plaining on  
3 arguing that it isn't, but, you know ...

4 THE COURT: Well, I'll allow the government to  
5 research that overnight and see whether that can stand as  
6 instructed or whether because it's an element, for example,  
7 in -- something that comes to mind easily -- in a bank robbery  
8 case, the fact that the bank is insured by the FDIC is an  
9 element of the offense, and proof has to be submitted that it  
10 is.

11 Whether that's the same in this instance, I don't  
12 know, but look at that, research that.

13 MR. BRODY: Yes, Your Honor.

14 THE COURT: What about you, Mr. Morton?

15 MR. BRODY: I did have a couple of others.

16 THE COURT: Go ahead, go ahead.

17 MR. BRODY: Thank you, Your Honor.

18 The -- I guess you could call it -- the *Jewell*  
19 instruction, the instruction that if you -- that "You may find  
20 the defendant acting knowingly if you find beyond a reasonable  
21 doubt that the defendant was aware of the high probability" --

22 THE COURT: Where is that now? That didn't -- where  
23 is that instruction?

24 MR. BRODY: I'm sorry. I don't have a number on it.

25 THE COURT: I see it.

1 MR. BRODY: Okay. It's a willfully type instruction.

2 THE COURT: What's the government's position?

3 MR. HUGHES: Your Honor, the government believes this  
4 instruction is appropriate in light of the evidence introduced  
5 at trial. There has been evidence introduced regarding  
6 repeated attempts by government agencies and by Mr. Morton's  
7 own admission that he was instructed that what he was doing was  
8 illegal, and that this instruction is appropriate given the  
9 fact that it's apparent that he may have ignored those sources  
10 in favor of ones that were more favorable to him.

11 MR. BRODY: Can I respond it to that, Your Honor?

12 THE COURT: Yes.

13 MR. BRODY: There is no -- there has to be sufficient  
14 evidence to warrant the instruction. There's no evidence that  
15 they deliberately avoided learning the truth. Now, they may  
16 have disagreed. Just because they didn't accept the IRS's word  
17 that this is unlawful doesn't mean that they took any steps to  
18 avoid learning the truth. They had their sources of  
19 information that they trusted, that they went to. They felt  
20 they had the truth; they felt they had access to the right  
21 information. There's no evidence that they stuck their heads  
22 in the sand and tried to avoid knowledge about the law.

23 THE COURT: Well, the *Jewell* instruction actually had  
24 its beginnings in a drug case.

25 MR. BRODY: Indeed, Your Honor.

1 THE COURT: It's been around for a long time, maybe  
2 35, 40 years. I'll have to think about that, but I will note  
3 your objection and decide -- you know what I'm going to do?  
4 Bring the jury down. I'm going to send the jury home and  
5 instruct tomorrow and go from there.

6 MR. BRODY: Yes, Your Honor.

7 THE COURT: Yes.

8 No point in keeping the jury. We won't finish the  
9 arguments, and they will be truncated, and I think it's better  
10 for everyone.

11 Anything else before the jury come in?

12 MR. BRODY: I did have two other instructions.

13 THE COURT: Go ahead --

14 MR. BRODY: Should we wait --

15 THE COURT: Start now. It may take them a while.

16 MR. BRODY: Yes. There is an instruction that  
17 includes the statement, "The defendants' good faith  
18 disagreement with the laws or a belief that the law is  
19 unconstitutional is not a defense to the crime."

20 I think under the circumstances of this particular  
21 case, it sounds a bit like saying sounds -- it sounds too much  
22 in contradiction to the good faith defense. It sounds like  
23 saying if Mr. Morton believed that it was legal to do these  
24 things, that belief is no excuse; but, in fact, it is. Nobody  
25 here has asserted a disagreement with the laws that is not

1 effectively a good faith argument. Nobody has said, you know,  
2 I -- I don't think that -- or --

3 THE COURT: In other words, I don't think that the  
4 law ought to be what it is.

5 MR. BRODY: Exactly, exactly. The Mortons -- well,  
6 certainly I believe Melissa Morton, the evidence shows that  
7 she -- and as to Sean Morton as well -- genuinely believed that  
8 these things were legally valid. There's no suggestion that  
9 they disagreed with the law, a substantive law.

10 THE COURT: And that sort of comes from that *Cheek*  
11 case, does it?

12 MR. HUGHES: Yes, Your Honor.

13 THE COURT: And how would you argue the point?

14 MR. HUGHES: Well, Your Honor to the extent that they  
15 are holding a belief that says the tax code is invalid for  
16 everyone ...

17 THE CLERK: All rise.

18 (Open Court - Jury Present)

19 THE COURT: Members of the jury, I'm sorry for the  
20 delay in the proceedings. It seems as though no matter how  
21 hard I try in these cases, at some point this happens. And  
22 here's where we are so you understand: As I said, I have to  
23 instruct you. That could take 20 or 25 minutes; then the  
24 government has an opportunity to deliver its closing argument,  
25 and then each of the defendants can give you their closing

1 argument, and then the government has an opportunity to make a  
2 rebuttal argument because the government has the burden of  
3 proof. So in no way would we finish the arguments tonight, and  
4 we would recess at a point where someone would be in the middle  
5 of an argument, and that would be unfair to one of the parties.

6           So my thought is this: I thought we'd make better  
7 progress today, but we're still pretty much on the schedule  
8 that I indicated. I think it's best that we recess for the  
9 evening and that we come back tomorrow at 9:15. At 9:15, I  
10 will promptly read the instructions to you. Pay close  
11 attention to them. I give the instructions to you before the  
12 lawyers argue so that you have a better understanding of how  
13 the evidence fits the law, but I will also, when you  
14 deliberate, give you a copy of these instructions -- they're  
15 somewhat lengthy -- to consult if you find it necessary during  
16 your deliberations. So that's the best I can do; I'm trying as  
17 hard as I can.

18           So please don't talk about the case to each other,  
19 don't access any Internet. I don't know that there is  
20 anything. If there is anything in the media, don't pay  
21 attention to it, and we're getting there. So have a pleasant  
22 evening, and we'll see you tomorrow.

23           (Proceedings held outside the presence of the jury:)

24           THE COURT: We're at the point of discussing the  
25 instruction that is based upon the *Cheek* case.

1           So you were about to give me your side of it.

2           MR. HUGHES: Thank you, Your Honor.

3           I do believe there is a strong need for that in this  
4 case because we have seen evidence of behavior that -- or that  
5 is espousing ideas --

6           THE COURT: Can you go to the lectern.

7           MR. HUGHES: Sorry.

8           I know that's particularly important because I tend  
9 to be soft spoken.

10          THE COURT: Yes.

11          MR. HUGHES: I believe that the instruction is  
12 appropriate given the fact that there has been evidence sort of  
13 put forward and espoused during this trial that suggests a  
14 disagreement with certain laws, including the Internal Revenue  
15 Code. I would note that Mr. Morton even refused to admit that  
16 he was a citizen when he was up on the stand.

17          THE COURT: I know, but here's at least some of my  
18 thinking on the issue: The defense centers about this very  
19 difficult to, frankly, rationally understand banking theory  
20 about the the ability of individuals to access the Federal  
21 Reserve in the same way that banks are able to. That's one  
22 cornerstone. The other is the more difficult concept that --  
23 and in that regard, the only evidence that I've heard is the  
24 evidence of Kerr, who said that's not so.

25          So on the question of the fractionalization, that's

1 just another way of describing what everyone knows is the  
2 multiplier effect in banking. I mean, it's just simply that a  
3 bank can lend out most of what it has, keeping some in reserve,  
4 and therefore the more funds it has, theoretically the more  
5 money it can lend out and make interest on.

6 And as best I can understand the defense argument,  
7 it's that the defendant, because he has a fractional interest  
8 in the monetary worth of the United States, or gold -- hard to  
9 even describe -- that an individual can willie-nillie write a  
10 check on a bank because the affect of writing a check on a bank  
11 somehow increases the bank's ability to engage in this  
12 multiplier affect.

13 Isn't that sort of what's going on?

14 MR. BRODY: I believe so, Your Honor.

15 THE COURT: And the question is those relate to the  
16 bank system, they don't really relate to tax, correct?

17 MR. BRODY: Correct --

18 THE COURT: And Kerr did opine on the legality of  
19 writing the check on nonexistent funds, didn't he?

20 MR. BRODY: I believe so, Your Honor.

21 MR. HUGHES: I believe so.

22 MR. BRODY: Yes, Your Honor, and, you know, I think  
23 this instruction would be appropriate if the Mortons'  
24 position -- or if there was evidence that the Mortons knew the  
25 bonds were illegal but thought they should be legal. That

1 would be a good faith disagreement with the law. That's got  
2 nothing to do with this case; that doesn't exist in this case.

3 Mr. Morton, can I just finish this motion?

4 DEFENDANT SEAN DAVID MORTON: Yes.

5 MR. BRODY: I think that's -- the point of the  
6 instruction is, you know, if you know something is illegal but  
7 you think it should be legal, that's not a defense; that's not  
8 an issue in this case. I'm really afraid --

9 THE COURT: I mean, in a *Jewell* case, I have to  
10 review how courts have handled this sort of putting your head  
11 in the sand type of instruction.

12 MR. BRODY: And I'm sorry, Your Honor. I was  
13 actually talking about the other instruction. I'm sorry.

14 THE COURT: Which one is this now -- oh, about the --

15 MR. BRODY: Good faith disagreement with the law.

16 THE COURT: -- good faith disagreement with the law,  
17 and you're saying that the only evidence in the case is that  
18 the defendants believed that their view of the law was correct.

19 MR. BRODY: Well, they believed that the bonds were  
20 legal, for example.

21 THE COURT: Well, then, they believed they were legal  
22 and what they were doing was correct.

23 MR. BRODY: Indeed, Your Honor.

24 THE COURT: And so -- I mean, when you peel back the  
25 beginnings of some of these theories in the *Jewell* case, I



1 think it was someone willfully disregarding what appeared to be  
2 drugs.

3 MR. BRODY: Yes, Your Honor.

4 THE COURT: And ...

5 MR. BRODY: That I think the classic *Jewell*  
6 instruction is when, for example, somebody who is driving a  
7 truckload of stuff that they really ought to know is drugs  
8 based on the surrounding circumstances, never goes back and  
9 opens the trunk to look because they just don't want to know.  
10 That's the sort of classic willful ignorance which I think is  
11 derived from the *Jewell* case.

12 THE COURT: How do you view the *Cheek* case as it  
13 relates to this case?

14 MR. BRODY: Well, I think *Cheek* is very much on point  
15 in terms of a good faith belief is a complete defense to a  
16 fraud --

17 THE COURT: But it also talks about what you can have  
18 a good faith belief in, and it makes it clear, a good faith  
19 belief is not that you believe the law ought to be something  
20 else.

21 MR. BRODY: Yes, Your Honor. That's correct. But,  
22 again, I think in this case, there's no evidence to suggest  
23 that the Mortons thought the law should be otherwise. They  
24 thought that it was what it was and that they were acting  
25 according to it.

1 THE COURT: But the government says that there were  
2 warnings along the way, even from Mr. Morton's own words in one  
3 of those videos, that he was told by lawyers to the contrary,  
4 and that he was also informed by the IRS on several occasions  
5 that what he was doing wasn't lawful, and you're saying that  
6 that just goes to good faith belief?

7 MR. BRODY: Well, I don't think that's connected to  
8 good faith belief in the sense that I think the fact that the  
9 Mortons were told this is illegal by the IRS, they would then  
10 have to take steps sort of to avoid learning the truth for the  
11 *Jewell* instruction to apply. In other words, not go on the  
12 Internet and look at --

13 THE COURT: But you say "take steps." *Jewell* is not  
14 about taking steps, *Jewell* is about putting your head in the  
15 sand.

16 MR. BRODY: Agreed. That was a poor statement, but  
17 they would have to have acted in a way that suggested that they  
18 were trying to avoid learning the truth. They were told by the  
19 IRS; they disagreed that -- it appears that they were  
20 surrounded by a group of people who said otherwise. I think --  
21 you know, the fact that they just didn't agree with the IRS or  
22 didn't take the IRS's word for it, that doesn't mean that they  
23 avoided learning the truth; that doesn't warrant an instruction  
24 that they avoided the truth.

25 DEFENDANT SEAN DAVID MORTON: We responded to every

1 notice that the IRS --

2 THE COURT: Just one moment. I'm going to ask you  
3 for your comments also.

4 MR. BRODY: I think, Your Honor, an example of where  
5 a *Jewell* instruction would apply in a fraud case is, you know  
6 if there was evidence that the Mortons were told by the IRS,  
7 you know -- or consulted an attorney and that attorney said,  
8 This is illegal, and that was the end of the story. They  
9 didn't -- there was no indication that they had any other  
10 sources of information; they just ceased to seek out --

11 THE COURT: Well, I mean, that's what Mr. Morton said  
12 in one part of the video, that he was told by lawyers that, You  
13 can't do this, and he was basically saying, you know, It's  
14 worth a shot.

15 MR. BRODY: Well, he was saying -- he disagreed, I  
16 think. He was saying, you know, that's not --

17 THE COURT: But on the other hand, that's what the  
18 government is saying the *Jewell* instruction is about in this  
19 case, that having that foreknowledge and being, in addition,  
20 told by the IRS, which is the body that's going to pass upon  
21 this ultimately, that it's not legal, he continued on; and that  
22 means he was willfully blind to the truth if you follow  
23 through. You're saying not so.

24 MR. BRODY: Not so, and I think, you know, the fact  
25 that the -- first of all, I'm not sure if the IRS would be the

1 final -- I think that the determination by the IRS could be  
2 appealed, for example, but I don't think the Mortons would know  
3 that anyway; I don't think there's information that they would  
4 know that.

5 THE COURT: But it's substantial notice. The IRS  
6 sends the kinds of letters they did, it's substantial notice  
7 that the taxing body thinks there's something wrong and --

8 MR. BRODY: I agree --

9 THE COURT: -- and there is no evidence in the case  
10 that I can recall where following that the defendants went to  
11 anyone, including their gurus, and said, Hey, what do you  
12 think?

13 MR. BRODY: Well, I think it's circumstantial  
14 evidence that they were surrounded by this information that  
15 they were -- that they had access to people, and that those  
16 people had advised them. Just because that didn't  
17 necessarily -- because there isn't evidence that that was after  
18 the fact of being advised by the IRS. I mean, if you have  
19 complete confidence that what you are doing is legal and that  
20 the IRS is really not an authoritative body, does the fact that  
21 the IRS tells you something is illegal trigger some obligation?  
22 Not necessarily.

23 THE COURT: Well, that's the question. That's the  
24 question.

25 MR. BRODY: Again, I think there are --

1 THE COURT: You know, that's the point here.

2 Do you want to make another comment?

3 MR. HUGHES: Just that I believe that they can argue  
4 that then, that I had this legitimate belief, and I didn't  
5 avoid learning the truth; I went and talked to them. But if  
6 the circumstances --

7 THE COURT: Let's say that the willful blindness  
8 instruction wasn't given, that wouldn't prevent you from  
9 arguing the same point on the good faith issue, would it?

10 MR. BRODY: No, Your Honor.

11 THE COURT: So, in other words, the argument  
12 regarding continuing to do the same thing after notice shows a  
13 lack of good faith belief, and so I think what the objection  
14 really is, is that the instruction -- so the defense would  
15 argue -- focuses the jury on one aspect of good faith.

16 MR. BRODY: Yes, Your Honor, and I think the  
17 government's case is clearly that the Mortons were actively  
18 engaged in a fraud. I mean, knowingly engaged in deceiving  
19 people, tricking the IRS, tricking the bond customers, trying  
20 to deceive everybody. There's no evidence to suggest that this  
21 was a fraud because of laziness or because of a failure to  
22 investigate or deliberate ignorance and head in the sand. The  
23 government's case is that this was a flat-out, full-blown, open  
24 and notorious fraud.

25 THE COURT: All right. I have both arguments. I

1 haven't given Mr. Morton a chance to be heard, if you wish.  
2 This may be a little beyond your pay grade here, but if you  
3 wanted to be heard, I'll listen to you.

4 DEFENDANT SEAN DAVID MORTON: Well, once again, the  
5 government is trying to say that we somehow believed that the  
6 Tax Code was invalid, and that's not the case. We filed  
7 everything that we filed absolutely believing it was valid  
8 within the code; and the warnings that they're talking about --  
9 remember, that there was a return that was issued in April of  
10 2009, and after that, there were communications from the IRS  
11 that said that they owed me a grand total of another \$4.5  
12 million that came from three different offices: Fresno,  
13 Austin, and Philadelphia. The warnings that they're talking  
14 about did not come until Halloween, October 26th or so, which  
15 is the --

16 THE COURT: What year would that be?

17 DEFENDANT SEAN DAVID MORTON: This is all of -- all  
18 of this happened in 2009 and --

19 THE COURT: But weren't these OID returns, some of  
20 them filed after that?

21 MR. HUGHES: Yes, Your Honor. In August of 2010,  
22 November of 2010, 2012, and then June of 2012.

23 DEFENDANT SEAN DAVID MORTON: In the nature to try to  
24 correct what was going on, again, they zeroed out everything  
25 that my wife claimed that they owned, which has not been

1 brought up here. But it's -- but, again, these warnings and  
2 this stuff by the IRS, October -- like I said, Halloween of  
3 2009, we're six months after a return was actually issued. So  
4 they give it to you -- actually, they audit it, said, Would you  
5 like \$500 more?

6 Okay.

7 Gave the return. Then said, We owe you more money.  
8 Then turned around and said -- so how am I -- how am I -- how  
9 am I disagreeing with the Tax Code when this government agency  
10 itself is so completely schizophrenic that doesn't know -- it  
11 still to this day doesn't know much I'm supposedly owing them.

12 THE COURT: All right. Thank you, Mr. Morton.

13 DEFENDANT SEAN DAVID MORTON: Can I make also for the  
14 errata, again, I think it's outrageous and I object to them  
15 being able to alter dates just to fit their statute of  
16 limitations. I mean, I was under the impression that statutes  
17 of limitations were only three years for taxes and five years  
18 for everybody else, and they waited almost to the day, seven  
19 years, and then still get it all under the code claiming it's  
20 one grand conspiracy because a large number of these charges  
21 should have dropped off for statutes of limitations.

22 THE COURT: The correction in the instruction has to  
23 do with the date in the indictment, correct?

24 MR. HUGHES: No, Your Honor. The correction in the  
25 indictment moves up the date of the last -- or of the overt

1 act, which the government must prove. It requires us to prove  
2 that at least one overt act happened in November of 2010 rather  
3 than the more lenient standard of March 2009.

4 THE COURT: Say that again. March -- in the  
5 indictment, the last overt act is when?

6 MR. HUGHES: I believe the last overt act is listed  
7 in 2013.

8 DEFENDANT SEAN DAVID MORTON: Changing the date,  
9 sir.

10 THE COURT: But 2013, the conspiracy statute, it's  
11 371 -- right -- of Title 18?

12 MR. HUGHES: Yes, Your Honor.

13 THE COURT: That's a five-year statute.

14 MR. HUGHES: Correct, Your Honor.

15 THE COURT: So I'm not quite understanding it. If  
16 the last overt act in the indictment is 2013, that's well  
17 within the statute of limitations.

18 MR. HUGHES: Correct, but the jury instructions  
19 initially stated that the government must prove that at least  
20 one overt act occurred after March of 2009, which --

21 THE COURT: So --

22 MR. HUGHES: -- and March of 2009 would have been  
23 outside the statute of limitations.

24 THE COURT: But the jury instruction was just not  
25 consistent with the indictment, correct?



1 DEFENDANT SEAN DAVID MORTON: They're trying --

2 THE COURT: In other words, why did you put "2009" in  
3 the jury instruction?

4 MR. HUGHES: That was a typo, Your Honor.

5 THE COURT: That's what I'm getting. There's no  
6 change. It's just a wrong date in the jury instruction.

7 MR. HUGHES: Correct.

8 THE COURT: Yes.

9 MR. BRODY: Submitted on that point, Your Honor.

10 DEFENDANT SEAN DAVID MORTON: They change it -- they  
11 tried to change it to actually get more charges.

12 THE COURT: I'll give this some thought, and before I  
13 instruct, we'll discuss it.

14 Do you have another item?

15 MR. BRODY: I just have one last comment, if I could,  
16 Your Honor, and I'm sorry to belabor it.

17 THE COURT: No.

18 MR. BRODY: I just to make sure we're not confusing  
19 two instructions. On the one hand there's the deliberate  
20 ignorance instruction, the *Jewell* instruction, and on the other  
21 hand, Your Honor has a separate instruction, which says "A  
22 defendant's good faith disagreement with the law, or a belief  
23 that the law is unconstitutional, is not a defense to the  
24 crime."

25 And I think that that phrase is -- I don't think

1 there's sufficient evidence for it, and I think it would be  
2 very confusing to the jury. I think the jury going to think to  
3 themselves, Oh, well, Mr. Morton, he doesn't agree with the  
4 law, and that's not a defense; so he is guilty. But that's  
5 not -- that's really not at issue in this trial.

6 THE COURT: But the -- during the trial, it was  
7 difficult to anticipate how things would evolve until today,  
8 and I take it from what you said that there's no -- there's not  
9 going to be any argument that what was done was lawful. It was  
10 just that what was done they believed to be lawful.

11 MR. BRODY: That will be Melissa Morton's argument,  
12 Your Honor, that if --

13 THE COURT: What will your argument be, Mr. Morton?  
14 This is something that I want you to answer as directly as you  
15 can; then you can explain it.

16 Are you going to argue to the jury that the offhand  
17 comments that you've made throughout the trial about the  
18 Constitution and the tax system and the gold standard and the  
19 like, that that's really the way things are, or are you going  
20 to argue that you had that belief based upon what you learned  
21 from these gurus and followed? What will it be?

22 DEFENDANT SEAN DAVID MORTON: That mostly from -- as  
23 far as the 1099-OID stuff goes, that had to do with following  
24 Brandon Adams and his father, Alexander, and his brother; and  
25 then as far as the bonds go, again, we had good faith because

1 they had worked with Carol Meier, and no matter what we did,  
2 nobody would return the bonds --

3 THE COURT: So you're saying to me that you don't  
4 intend to tell the jury that what you -- the process you  
5 followed was the law, and the government was wrong to even be  
6 here in charging you based upon a violation of a law that you  
7 say doesn't exist -- let me start again because I made that too  
8 convoluted.

9 Are you going to limit your argument to your good  
10 faith belief that what you did you believed to be lawful  
11 because of all the reasons that you've given?

12 DEFENDANT SEAN DAVID MORTON: Yes, sir. That  
13 everything was in good faith, that there was no culpability on  
14 our part, and there was no willful intention to defraud anyone.

15 THE COURT: All right. Then I have to give this some  
16 further thought. Thank you.

17 MR. BRODY: Thank you, Your Honor.

18 MR. HUGHES: Thank you, Your Honor.

19 (Proceedings concluded at 4:30 p.m.)

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C E R T I F I C A T E

I hereby certify that pursuant to Section 753,  
Title 18, United States Code, the foregoing is a true and  
correct transcript of the stenographically reported proceedings  
held in the above-entitled matter and that the transcript page  
format is in conformance with the regulations of the Judicial  
Conference of the United States.

Date: May 24, 2017

/s/ \_\_\_\_\_

Deborah K. Gackle  
CSR No. 7106

{PLAINTIFF} V.  
{DEFENDANT}

{WITNESSNAME}  
{DATE}

<p><b>BY DEFENDANT SEAN DAVID MORTON: [2]</b> 655/3 667/22</p> <p><b>BY MR. BRODY: [16]</b> 527/11 529/18 542/19 547/20 550/2 556/15 558/25 561/16 564/2 565/25 571/7 659/15 661/21 663/5 673/23 675/1</p> <p><b>BY MR. HUGHES: [2]</b> 671/10 674/5</p> <p><b>BY MS. MAKAREWICZ: [61]</b> 601/4 601/23 602/12 604/4 604/10 604/15 604/24 606/12 607/4 608/8 609/6 609/15 612/24 615/1 615/16 616/7 616/13 617/3 617/14 618/17 619/25 620/7 621/11 623/5 623/15 624/20 625/8 626/3 626/8 627/3 627/20 628/15 629/11 631/13 631/25 632/7 632/14 632/18 633/2 635/2 635/13 636/20 637/20 638/12 640/1 640/24 641/18 642/11 643/10 643/17 644/9 644/16 645/1 645/9 646/3 647/7 648/14 652/11 652/19 653/12 654/7</p> <p><b>DEFENDANT SEAN DAVID MORTON: [21]</b> 525/10 525/21 582/8 582/11 582/21 582/25 583/15 655/1 667/20 671/2 687/3 689/24 693/3 693/16 693/22 694/12 695/7 695/25 696/9 697/21 698/11</p> <p><b>MR. 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HUGHES: [32]</b> 671/8 671/18 671/20 671/24 672/1 672/8 673/8 673/20 674/22 676/13 678/16 678/24 679/2 679/4 681/2 683/11 683/13 685/1 685/6 685/10 686/20 692/2 693/20 694/23 695/5 695/11 695/13 695/17 695/21 696/3 696/6 698/17</p> <p><b>MS. 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<p>680/12 682/3 683/1</p> <p>684/19 685/8 685/17</p> <p>686/22 687/6 687/6</p> <p>688/7 688/9 689/21</p> <p>690/5 690/7 690/13</p> <p>690/16 690/24 691/2</p> <p>691/4 692/1 694/10</p> <p>694/11</p> <p><b>knowing</b> [1] 559/24</p> <p><b>knowingly</b> [3] 678/9</p> <p>680/20 692/18</p> <p><b>knowledge</b> [22]</p> <p>531/25 533/6 534/15</p> <p>545/5 546/12 549/14</p> <p>555/19 555/25 558/18</p> <p>558/22 573/6 580/16</p> <p>609/13 619/18 621/13</p> <p>622/1 622/12 624/13</p> <p>631/11 639/1 660/21</p> <p>681/22</p> <p><b>knowledgeable</b> [3]</p> <p>575/13 577/8 665/17</p> <p><b>known</b> [9] 527/18</p> <p>574/16 628/18 662/2</p>	<p>665/24 666/21 666/22</p> <p>666/24 666/25</p> <p><b>knows</b> [1] 686/1</p> <p><b>L</b></p> <p><b>L.A</b> [1] 529/13</p> <p><b>lack</b> [1] 692/13</p> <p><b>ladies</b> [1] 661/6</p> <p><b>laid</b> [1] 596/19</p> <p><b>Lakers</b> [1] 572/14</p> <p><b>Lama</b> [1] 548/22</p> <p><b>language</b> [3] 561/11</p> <p>569/18 569/23</p> <p><b>lap</b> [1] 655/24</p> 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<b>W</b>	581/2 583/25 587/12 589/16 589/17 591/14 595/7 595/19 596/2 597/10 597/10 597/24 603/12 606/22 606/24 611/13 627/16 628/10 631/3 631/3 639/19 640/16 644/14 645/18 651/21 651/22 652/22 655/12 655/25 656/3 657/8 657/11 657/13 659/3 660/21 675/3 675/21 676/18 678/2 687/14 688/10 690/20 693/14 693/25 695/1 695/20 696/21 <b>while [5]</b> 530/6 548/21 549/12 559/11 682/15 <b>white [1]</b> 527/14 <b>who [42]</b> 524/20 531/8 531/9 531/21 533/9 533/23 536/8 536/9 536/10 541/18 544/13 546/5 550/14 556/19 556/19 559/15 562/13 562/14 562/15 562/15 574/9 574/12 578/15 583/23 607/19 620/18 622/5 628/21 628/22 630/23 646/24 647/11 647/13 656/2 656/21 656/21 658/24 660/8 660/19 685/24 688/6 689/20 <b>who's [3]</b> 578/15 647/16 660/21 <b>whoever [1]</b> 553/2 <b>whole [17]</b> 532/25 533/1 536/14 542/1 544/22 549/1 551/19 577/23 580/13 585/5 591/18 591/23 641/24 652/1 660/5 662/3 668/15 <b>wholly [1]</b> 630/25 <b>whose [2]</b> 544/24 592/16 <b>why [20]</b> 537/25 542/2 553/19 553/20 557/21 558/3 561/20 579/16 579/24 586/20 608/6 609/22 619/11 642/3 655/18 660/12 660/12 660/22 675/5 696/2 <b>why the [1]</b> 542/2 <b>wife [28]</b> 567/25 574/7 593/11 607/1 609/3 609/8 613/5 619/12 622/5 622/19 625/11 625/15 629/24 630/3 630/13 630/24 631/9 631/16 632/9 632/20	633/5 640/3 643/12 643/19 644/23 645/20 658/24 693/25 <b>wife's [1]</b> 637/2 <b>willful [4]</b> 594/2 688/10 692/7 698/14 <b>willfully [4]</b> 670/16 681/1 688/1 690/22 <b>willie [1]</b> 686/9 <b>willie-nillie [1]</b> 686/9 <b>Williston [1]</b> 547/5 <b>WILSON [1]</b> 520/5 <b>window [1]</b> 597/23 <b>Winston [15]</b> 562/11 562/13 562/14 563/5 563/11 565/9 566/25 569/24 570/10 570/11 570/14 570/23 635/5 635/9 658/12 <b>Winston's [1]</b> 565/7 <b>wish [8]</b> 584/25 584/25 586/23 599/25 600/6 629/10 654/18 693/1 <b>wishes [1]</b> 585/21 <b>withdraw [2]</b> 558/2 652/4 <b>within [3]</b> 533/12 693/8 695/17 <b>without [5]</b> 525/1 586/25 631/23 646/2 672/16 <b>witness [35]</b> 524/10 524/12 524/15 524/19 525/9 525/16 525/16 526/6 526/7 527/10 533/21 553/16 601/1 601/14 605/21 621/5 627/2 631/19 634/13 636/10 638/24 640/8 640/12 645/25 646/10 646/12 646/23 647/20 648/19 659/8 661/14 661/20 672/4 672/7 673/19 <b>witnessed [1]</b> 656/21 <b>witnesses [8]</b> 522/3 525/10 568/7 592/1 642/5 661/9 676/11 676/14 <b>Witter [1]</b> 551/21 <b>wolf [1]</b> 574/19 <b>wolves [2]</b> 669/12 669/13 <b>woman [1]</b> 640/4 <b>won't [7]</b> 576/21 597/3 597/3 597/4 658/4 672/15 682/8 <b>word [13]</b> 537/23 538/18 538/19 558/3 568/12 568/13 568/18 571/9 602/16 643/25	644/5 681/16 689/22 <b>words [15]</b> 547/6 581/18 584/3 590/9 622/13 622/22 645/16 649/19 654/22 669/23 683/3 689/2 689/11 692/11 696/2 <b>work [10]</b> 534/1 560/18 594/11 614/4 638/14 638/15 638/21 660/16 664/1 675/17 <b>worked [15]</b> 529/8 529/9 529/9 529/10 556/18 557/10 557/12 575/23 599/10 666/5 666/6 666/7 675/5 675/17 698/1 <b>working [10]</b> 532/19 557/2 559/15 568/4 612/11 612/14 614/18 660/14 666/1 675/9 <b>workings [1]</b> 667/4 <b>works [5]</b> 550/24 557/20 557/21 585/19 619/19 <b>world [5]</b> 536/11 536/13 536/22 538/3 549/20 <b>worse [2]</b> 596/12 596/14 <b>worth [6]</b> 543/20 588/13 657/9 657/11 686/8 690/14 <b>would [102]</b> 525/4 526/22 527/13 528/14 529/18 537/10 540/18 540/21 548/20 548/23 555/11 557/21 559/22 560/25 562/7 563/18 564/7 566/12 566/13 568/2 577/23 585/6 586/20 586/20 593/12 595/11 595/12 600/9 604/21 605/12 605/17 608/3 608/7 618/10 618/12 619/19 620/5 625/12 626/11 631/15 631/18 632/2 633/4 633/14 636/8 636/10 639/7 640/21 647/14 648/24 649/7 649/13 651/3 651/7 651/18 651/20 651/25 653/9 655/5 655/11 658/24 659/8 662/13 663/3 664/15 664/19 664/20 664/20 664/22 671/14 671/22 673/6 673/25 676/19 676/25 677/6 677/7 678/18 679/22 680/1 683/13 684/3 684/4 684/4 684/5	685/15 686/23 687/1 689/9 689/17 690/5 690/25 691/2 691/3 692/9 692/14 693/16 694/4 695/22 697/1 697/7 698/2 <b>wouldn't [4]</b> 605/15 631/17 671/21 692/8 <b>wound [1]</b> 643/5 <b>wow [1]</b> 566/12 <b>write [2]</b> 642/24 686/9 <b>writing [6]</b> 593/20 611/8 631/18 632/20 686/10 686/19 <b>written [1]</b> 595/1 <b>wrong [4]</b> 595/14 691/7 696/6 698/5 <b>wrote [9]</b> 569/12 596/16 624/6 628/23 629/4 631/9 631/16 632/9 633/5 <b>WWW.Stevebrodylaw.com [1]</b> 521/17
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# Y

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603/3 603/9 603/24  
604/2 604/6 607/9  
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# Z

**zero [3]** 535/25 564/16  
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**Zinaida [1]** 640/4

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